

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

In re:	)	
	)	
ALYSSA BISTLINE, et al,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 2:16-CV-00788
	)	
WARREN STEED JEFFS, et	)	
al,	)	
	)	
Defendants.	)	
	)	
	)	
_____	)	

BEFORE THE HONORABLE TED STEWART

September 26, 2022

Bench Trial

Volume I

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Salt Lake City, Utah

September 26, 2022

\* \* \* \* \*

THE COURT: Good morning counsel.

MR. HOOLE: Good morning, Your Honor.

THE COURT: Mr. Hoole -- well let me -- we are

here in the case of *Bistline, et al versus Warren Jeffs*.

This is case 16-CV-788. Representing the plaintiffs in this case we have Mr. Roger Hoole and Mr. Ray Johnson.

MR. JOHNSON: Good morning, Your Honor.

THE COURT: Good morning to both of you.

MR. HOOLE: I would also like to point out attorney Karen Porter, she is an attorney in California, used to be admitted in Utah but is practicing in California.

THE COURT: Will she be participating?

MR. HOOLE: No, I don't believe so.

THE COURT: All right. The court would note that the defendant in this case, Mr. Warren Jeffs, is not represented. And I do want to read something at the outset, Mr. Hoole, that I don't think any of it will be a surprise to you, but I do want to just remind you of what it is I believe I need to hear over the next two days.

Decisions to enter judgment by default are committed to the district court's sound discretion. A defense default does not itself warrant the court entering a default judgment. Before entering a default judgment, the

1 court must determine that the court has jurisdiction over a  
2 defendant and that the unchallenged facts constitute a  
3 legitimate cause of action since the party in default does  
4 not admit mere conclusions of law. The court has  
08:31:58 5 jurisdiction over Defendant Jeffs. Many of the allegations  
6 contained in the complaint regarding Jeffs activities  
7 occurred in Utah. Further the complaint states Jeffs has  
8 directed many FLDS Utah residents as their prophet and  
9 control trust land that is located in part in Utah. No  
08:32:18 10 facts before the court suggest Jeffs would have a legitimate  
11 basis upon which to challenge jurisdiction so jurisdiction  
12 is not an issue in this matter.

13 Regarding whether plaintiffs have pled sufficient  
14 facts to support a legitimate cause of action, however, is  
08:32:37 15 what the court needs testimony on. Plaintiffs claims  
16 against Jeffs include first, common law fraud under Utah  
17 law; and second, violations under the civil remedies statute  
18 of the Trafficking Victimless Protection Reauthorization  
19 Act, probably referred to here on occasion as TVRP -- PRA.

08:33:11 20 Plaintiffs have directed the testimony offered at  
21 trial should focus on those facts that will support  
22 plaintiffs' individual claims against Jeffs specifically for  
23 fraud and for violations of the TVPRA including any facts  
24 that tie specific wrongful actions alleged to have been  
08:33:31 25 taken by Jeffs to the specific harm alleged to be suffered

1 by individual plaintiffs.

2 Regarding damages to be proven at trial. The  
3 court understands that damages for common law fraud and  
4 damages under the TVPRA civil action may be awarded in the  
08:33:52 5 form of actual damages which includes economic and  
6 noneconomic damages such as emotional distress and punitive  
7 damages. Plaintiffs are also directed that testimony  
8 offered at trial should focus on facts supporting both  
9 actual and punitive damages that the plaintiffs have alleged  
08:34:12 10 to be suffered as a result of Jeffs specific actions.

11 And this next part, Mr. Hoole, is of some import.  
12 The facts alleged in the complaint in support of plaintiffs  
13 claims of will, excuse me, claim of fraud need further  
14 development at trial to support a finding of fraud.  
08:34:34 15 Specifically, each plaintiff asserting a fraud claim will  
16 need to allege specific statements made by Jeffs that  
17 induced them to take a specific action that resulted in  
18 harm. Any alleged misrepresentation, however, that might  
19 require the court to evaluate the truth or the falsity of  
08:34:55 20 the FLDS church's beliefs such as the alleged  
21 misrepresentation that Jeffs is a prophet are not to be  
22 allowed.

23 The Supreme Court has made clear that it is  
24 quote, "Wholly inconsistent with the American concept of  
08:35:12 25 relationship between church and state to permit civil courts

1 to determine ecclesiastical questions." And that comes from  
2 the case of *Presbyterian Church in the U.S. versus Mary*  
3 *Elizabeth Blue Hull*, slash Presbyterian Church 393 U.S. 440,  
4 1969. This court would decline to entertain questions that  
08:35:38 5 implicate questions central to the FLDS Church and its  
6 members.

7 Mr. Hoole, do you have any questions at this  
8 point?

9 MR. HOOLE: I have some preliminary things if I  
08:35:49 10 may, Your Honor.

11 THE COURT: Please, go ahead. May I ask, is  
12 there anything that I just read to you that is disturbing to  
13 you or contrary to what you understood the court was looking  
14 for?

08:36:01 15 MR. HOOLE: I do have one point with respect to  
16 Mr. Jeffs being a prophet. I don't know another situation  
17 where a leader of a religious movement has admitted that he  
18 is not a prophet. And I think in that context I can put on  
19 evidence of him admitting that he was never a prophet, never  
08:36:19 20 had the authority to do the things that he did, and did not  
21 disclose that to the people and that is central to our fraud  
22 claim. I don't -- I don't think that that is a situation  
23 that arises ever other than in this context. And I think  
24 that in light of that, I think that the plaintiffs should be  
08:36:40 25 entitled to discuss what they understood in terms of him,

1 what they relied on, what he said he was not, and how that  
2 constituted fraud.

08:37:03

3 THE COURT: To the extent that I'm not required  
4 to make a finding that he was or was not a prophet, I think  
5 that testimony will be allowed.

08:37:21

6 MR. HOOLE: And I think that for many, many  
7 people in the FLDS he is a prophet and they have sincere  
8 religious beliefs with respect to that. But he has, in  
9 fact, made statements that support a fraud claim on that  
10 point.

11 THE COURT: Again, if you are going to submit  
12 testimony that wherein Mr. Jeffs is quoted as saying that he  
13 was not a prophet I don't think I can disallow that.

08:37:37

14 MR. HOOLE: Okay. Thank you, Your Honor. I have  
15 a couple of housekeeping matters, if I may.

16 THE COURT: Go ahead.

08:37:52

17 MR. HOOLE: The court pointed out in its  
18 memorandum decision that we had not specified the statutes  
19 under the trafficking statutes. The general statute we rely  
20 on is 18 U.S.C 1589 which is the general trafficking  
21 statute. 15 -- excuse me, 18 U.S.C 1595 is the provision  
22 that allows a civil cause of action based on trafficking.  
23 And that is -- that is the statute we're relying on.

08:38:17

24 THE COURT: But as far as the elements, I will  
25 find those in 1859; is that correct?



1 MR. HOOLE: Excuse me?

2 THE COURT: As far as the elements I must find as  
3 -- that Mr. Jeffs in fact violated, I will find those in  
4 1859?

08:38:29 5 MR. HOOLE: That's correct.

6 THE COURT: Okay.

7 MR. HOOLE: The elements actually are in 1589.

8 THE COURT: 1589.

9 MR. HOOLE: 1589. And I'll address those with  
08:38:39 10 the witnesses.

11 THE COURT: Okay.

12 MR. HOOLE: The other matter is that three of our  
13 witnesses are in a plural marriage. And I was wondering  
14 whether the court would entertain one of them to speak on  
08:38:55 15 behalf of the other two. What they went through as a family  
16 is very similar. I think the testimony would be quite  
17 duplicative if all three were called. That is the family of  
18 Carole Jessop, Vergel Barlow and Helen Barlow. They would  
19 testify tomorrow, with the court's permission, via zoom, but  
08:39:22 20 only one of them, Carole Jessop, would be the one offering  
21 testimony unless the court wants to hear from all three of  
22 them.

23 THE COURT: Would it make sense to have Carole  
24 Jessop testify in detail and then have the other two sworn  
08:39:38 25 and you simply ask them did Carole Jessop represent

1 accurately your experiences as well or something?

2 MR. HOOLE: Sure. I think that --

3 THE COURT: I think I would need that at a  
4 minimum.

08:39:51 5 MR. HOOLE: The only concern I have is that Helen  
6 Barlow is a midwife and she never knows what her schedule is  
7 going to be because she tends to a lot of births and that's  
8 the one thing I can't predict. But they, I think, could do  
9 exactly that, acknowledge the proffer.

08:40:08 10 THE COURT: And, again, I will remind you  
11 Mr. Hoole, that I originally offered to you to allow this  
12 testimony all to come in by proffer.

13 MR. HOOLE: Yes.

14 THE COURT: I suppose if something were to happen  
08:40:19 15 so Helen Barlow is not able to testify tomorrow, you could  
16 offer her testimony or her representation that Carole Jessop  
17 represented her experience by way of an affidavit subsequent  
18 to trial.

19 MR. HOOLE: Yeah, I can certainly do that. Let's  
08:40:36 20 see my computer has -- it stopped for a minute. Karen, do  
21 you want to help me out? I borrowed a computer. There is  
22 another witness, Amy Nielsen, who I might need to do the  
23 same thing with because of a work conflict that has come up.  
24 So I might end up proffering her testimony as well. It will  
08:41:04 25 be very, very similar to what is stated in the complaint.

1 And then with respect to some common allegations,  
2 I would ask the court to allow a proffer with respect to  
3 common allegations. Those are found at pages 14 through 17  
4 of Exhibit B to our trial brief. They are taken from the  
08:41:31 5 complaint itself. We eliminated references to the dismissed  
6 defendants and were able to shorten what was a 120 page  
7 document down to less than 60 pages. And rather than have  
8 all of the plaintiffs testify as to the common allegations,  
9 I am going to ask them generally to acknowledge the accuracy  
08:41:52 10 of those and ask the court to maybe review those rather than  
11 hear testimony so many times.

12 THE COURT: As long as they are able to affirm  
13 that they have read those pages and understand them to  
14 represent the truth as they know it, something to that  
08:42:13 15 effect, okay?

16 MR. HOOLE: The last point is in my effort to  
17 reduce the complaint down to what is before the court today,  
18 I endeavored to take all of the references out to the other  
19 defendants. I failed to do that in two instances. One at  
08:42:32 20 page 17 of Exhibit B to the trial brief, and one time on  
21 page 30 to Exhibit B to the trial brief. And I can file an  
22 amended Exhibit B if the court would like but any reference  
23 to the lawyer defendants should be stricken.

24 THE COURT: I understand that and I appreciate  
08:42:52 25 you bringing that to my attention. I think if my -- as I

1 have indicated to you a few weeks ago, my intention will be  
2 to allow you to prepare findings of fact and conclusions of  
3 law. So I'm assuming that you will probably use those pages  
4 in that. As long as you make those changes for that which  
08:43:11 5 you submit to me subsequently.

6 MR. HOOLE: I just wanted to make it clear that  
7 we did not intend to --

8 THE COURT: Intend, yes.

9 MR. HOOLE: -- to involve them.

08:43:18 10 THE COURT: Okay.

11 MR. HOOLE: So with respect to a brief opening  
12 statement, I'm prepared if the court is ready.

13 THE COURT: Yes, go ahead.

14 MR. HOOLE: Your Honor, I think we all have the  
08:43:27 15 general sense of the situation involving Warren Jeffs. He  
16 is serving a prison term of life plus 20 years in Texas for  
17 spiritually marrying and impregnating a 12-year old girl and  
18 a 15-year old girl. That has been adjudicated and the court  
19 can take judicial notice of that fact.

08:43:49 20 What we have today are 15 plaintiffs who were  
21 victims of what he perpetrated. These are people who were  
22 born and raised in the community. They knew nothing of the  
23 outside world because it was such an isolated community and  
24 they were not allowed information involving outside world.  
08:44:12 25 There was severe restrictions on what information they could

1 receive, what information they could believe, and what  
2 information they could rely on.

3 It's difficult to imagine that that can happen in  
4 the United States, but it does happen and their testimony  
08:44:28 5 will explain that. The other point I would make is that  
6 these folks had sincere religious beliefs. They really  
7 believed that Warren Jeffs was a prophet, inspired, and it  
8 was through their own experiences over a process of time and  
9 the things that happened to them that they concluded that --  
08:44:52 10 that they should reject that belief. That was their own  
11 decision and they have a right to believe and they have a  
12 right to not belief like everybody else.

13 And we do not intend to cast any aspersions on  
14 anybody's religious beliefs today including the FLDS who  
08:45:09 15 continue to follow Warren Jeffs. The issue is that my  
16 clients have different information than a lot of his  
17 followers and we'll address that. Because they were so  
18 obedient and so loyal to Mr. Jeffs, and had such sincere  
19 religious beliefs, they were susceptible to be manipulated.  
08:45:34 20 And overtime, some fraud crept in to the FLDS.

21 Now where that crept in and how that crept in may  
22 depend on who you ask. But it crept in at some point and my  
23 clients were damaged by that. The evidence will talk about  
24 how they believed him, they believed the things he said,  
08:46:04 25 they revered him as a prophet.

1           After he was arrested in 2006 and put on trial in  
2       Southern Utah, he made a series of admissions which were  
3       videotaped and audio recorded from the Purgatory  
4       Correctional Facility in Hurricane, Utah. And he repeated  
08:46:30 5       in those admissions that he was not the prophet, that he had  
6       not held priesthood since he was 20, and that he had been  
7       immoral with a daughter and with a sister.

8           And what that means, the witnesses will explain,  
9       that they didn't know that. That was not shared with them.  
08:46:52 10       And whether or not Mr. Jeffs recanted that we don't know and  
11       that's not before the court. But he made those admissions  
12       and I think those are significant admissions.

13           They did not know of those, however, until after  
14       they left. And I think that those admissions separate this  
08:47:17 15       case from your typical case where the courts obviously show  
16       deference to and don't interfere with religious beliefs.  
17       But that is a significant statement. Beyond that, although  
18       the court doesn't decide religious beliefs, there is a line  
19       where religious conduct can become illegal conduct. And it  
08:47:43 20       is that we're going to talk about today because where the  
21       line was crossed, my clients were hurt. And they were hurt  
22       in terms of fraud and they were hurt in terms of  
23       trafficking. And the common allegations on pages 14 through  
24       17 of Exhibit B to our trial brief layout the basic facts.  
08:48:08 25       Certainly not everything that happened, but they really do

1 summarize the way my clients were defrauded, the way they  
2 were trafficked, the way they were harmed. And I'll have  
3 them talk about that but specifically their own situation in  
4 detail and the damages they sustained in detail.

08:48:36 5 Mr. Jeffs is a religious leader, assumed control  
6 over these people in a very unique way which the evidence  
7 will explain. He controlled every aspect of their lives,  
8 literally every aspect of their lives. And it was that  
9 control over them that required him to treat them with care  
08:48:58 10 and honesty and to discharge his duties which he failed to  
11 do.

12 The representations he made are supplemented by  
13 the omissions he made. He failed to disclose things that my  
14 clients critically needed to know in order to make informed  
08:49:20 15 religious decisions. So we're looking at this as a fraud  
16 case with the nine standard elements of a garden variety  
17 fraud claim, but also he had a duty to disclose and that  
18 duty was not met. There was years of omissions. And I  
19 believe that constitutes fraud as well because he had a  
08:49:44 20 duty, he undertook control of their lives and owed them  
21 enough information to make informed decisions. And he did  
22 not do that.

23 At the end of the trial, Your Honor, we will ask  
24 the court to award damages. We understand that Mr. Jeffs  
08:50:03 25 has been in prison since 2006, that he may have no assets at

1 all. There are other judgments against him that are before  
2 our clients but my clients want to proceed with this because  
3 they want to share with the court on the record what  
4 happened to them. And what happened to them is just  
08:50:26 5 illustrative of what has happened to so many others who have  
6 had similar problems, gone through similar things. But we  
7 will be asking the court for damages including punitive  
8 damages because I think it's important to send a message  
9 that this kind of conduct where you cross that line, where  
08:50:48 10 you cross that line, and you control people and manipulate  
11 and essentially destroy people because of their sincere  
12 religious beliefs after crossing that line into illegality  
13 that needs to be -- that needs to be dealt with.

14 With that, Your Honor, I'm ready to call the  
08:51:09 15 first witness.

16 THE COURT: Go ahead, please.

17 MR. HOOLE: Thank you. Call Alicia Rohbock.

18 THE CLERK: If you will raise your right hand.

19 **ALICIA ROHBOCK,**

08:51:24 20 called as a witness at the request of the Plaintiffs,

21 having been first duly sworn, was examined

22 and testified as follows:

23 THE WITNESS: I do.

24 THE CLERK: Thank you. Please have a seat. And  
08:51:47 25 would you state and spell your name for the record, please.



1 THE WITNESS: My name is Alicia Rohbock.

2 THE COURT: How do you spell --

3 THE WITNESS: A-L-I-C-I-A R-O-H-B-O-C-K.

4 THE CLERK: Thank you.

08:52:00 5 MR. HOOLE: Your Honor, may I refer to  
6 Ms. Rohbock by her first name?

7 THE COURT: Yes. Normally if this was a jury  
8 trial I would not.

9 MR. HOOLE: Yes.

08:52:11 10 THE COURT: But I think this is a circumstance  
11 where it would be appropriate. So go ahead.

12 **DIRECT EXAMINATION**

13 BY MR. HOOLE:

14 Q. Thank you. A lot of last names repeat and it might be  
08:52:20 15 clearer. Hi, Alicia. How are you?

16 A. Good. Thank you.

17 Q. Good. Alicia, where do you live?

18 A. Hildale, Utah.

19 Q. Who do you live with?

08:52:29 20 A. My children.

21 Q. Are your children present today?

22 A. Yes.

23 Q. Could I ask them just to stand so the judge can see  
24 them? Okay, thank you.

08:52:48 25 THE COURT: Ms. Rohbock, I think that mic --

1 THE WITNESS: Is that better?

2 THE COURT REPORTER: Yes.

3 Q. (By Mr. Hoole) Alicia, have you been able to read 14  
4 through 17 of Exhibit B, the common facts?

08:53:03 5 A. Yes.

6 Q. And do you agree with the accuracy of those?

7 A. Yes.

8 Q. Any changes?

9 A. Yes. Um, one paragraph that states when the 21 men  
08:53:15 10 were corrected, it was January 10th not January 1st.

11 Q. When 21 men were corrected. What does it mean to be  
12 corrected?

13 A. Um, to have everything that you love, your family, your  
14 businesses, anything that has any meaning to you, ripped  
08:53:34 15 from you in an instant.

16 Q. Removed from you?

17 A. Removed. All your wives, all your children to that man  
18 to be sent away to be corrected, and wives, children,  
19 re-assigned to other men.

08:53:51 20 Q. Okay. And that happened on what date to 21 men?

21 A. It was January 10th of 2006 or '5, I'm not sure which.

22 Q. Okay. Alicia, you were born and raised in the FLDS?

23 A. Yes.

24 Q. At some point you were married in the FLDS?

08:54:14 25 A. Yes.

1 Q. When were you married?

2 A. April 21st, 1997.

3 Q. And to whom were you married?

4 A. Rulon Jeffs.

08:54:20 5 Q. Who is Rulon Jeffs?

6 A. He was considered the prophet to the people at that  
7 time.

8 Q. Is he Warren Jeffs father?

9 A. Yes.

08:54:28 10 Q. How old was Rulon Jeffs when you married him?

11 A. 85, 86, somewhere in there.

12 Q. Okay. And how old were you?

13 A. I was 20.

14 Q. When you married Rulon Jeffs, how long did he live?

08:54:46 15 A. Five and a half years after I had married him.

16 Q. Okay. And at some point did his health decline?

17 A. Very much so.

18 Q. Okay. And did anybody take over for him as the leader  
19 of the church?

08:55:00 20 A. Warren.

21 Q. Can you explain how that happened?

22 A. I grew up with Warren pretty much teaching me from the  
23 time I was in first grade to twelfth grade so he had much  
24 control over my life from the very beginning. But as his  
08:55:17 25 father's health declined, he took matters more and more into

1 his hands that when Rulon had his stroke, he -- things  
2 started getting much more intense, um, everything was done  
3 behind locked doors between him and his father. And no --  
4 none of us were allowed near and the doors were guarded.

08:55:38 5 And when Rulon would rally to at times he would  
6 come in and just throw his arms down on the table just very  
7 frustrated and said I want my job back. What we saw is that  
8 he felt disabled and couldn't do the work that he wanted to  
9 do. We had no idea Warren was taking over. And we  
08:56:02 10 understood as time went on that he would have more mini  
11 strokes that he was frustrated at his son.

12 Q. After Rulon Jeffs' death, did Warren become the prophet  
13 of the church.

14 A. Yes, he assumed so.

08:56:16 15 Q. Do you remember him being sustained by the membership  
16 of the church?

17 A. I think he just took it over. It wasn't an actual vote  
18 of the people or anything, it just was considered that that  
19 is what it was.

08:56:27 20 Q. Did you recognize him as the prophet?

21 A. When Rulon died, he came to me in the dining room after  
22 he had gotten back home and he came up to me and he  
23 whispered in my ear, he said, "Who do you think the next  
24 prophet is?" And I, um, was very scared of him and I  
08:56:47 25 whispered "I think you are" and he just beamed. But Warren

1 and I had a very close relationship up to the point of me  
2 telling him I wouldn't marry him.

3 Q. Say that last piece again?

4 A. Warren and I were very close up to the point until  
08:57:04 5 Warren asked me to become his wife.

6 Q. So after his father's death, Warren Jeffs asked you to  
7 become one of his wives?

8 A. Yes.

9 Q. And did you?

08:57:15 10 A. I rebelled in every way. I was very close to him. I  
11 was a personal transcriber, um, did everything, went down  
12 and saw his family, saw how he dealt with his family, and  
13 had no -- very little respect with how he treated his  
14 ladies. And, um, when he had another one of my sister wives  
08:57:38 15 tell me that he wanted me to marry him. And so I went to  
16 Warren myself personally and just said I -- I don't feel  
17 like that's right for me and he said I had to stay in Mother  
18 Marilyn's family which means Mother Marilyn's sons. And so  
19 I had respect for his older brother LeRoy and I said, may I  
08:58:02 20 marry LeRoy then and it really made him mad.

21 Q. Now, you mentioned "his ladies." What did you mean by  
22 his ladies?

23 A. As far as how he treated his ladies, is that what  
24 you're asking?

08:58:13 25 Q. Yes.

1 A. Um, I would go down to his house several times and  
2 there were those that were just really pretty women or  
3 adored by him, constantly with him, and then others you  
4 never saw with him that were the servants of the home. He  
08:58:28 5 never -- he never showed them off, he never brought them  
6 into the public places, just were treated as much lesser.  
7 And you saw them deal with great discouragement. I was  
8 close enough to the family to have many of the personal  
9 family members talk to me.

08:58:44 10 Q. Okay. So in the FLDS context, the phrase "ladies,"  
11 "his ladies," does that refer to his wives?

12 A. At the time, yes.

13 Q. Okay. After you declined to marry him, were there  
14 repercussions for you?

08:59:01 15 A. They were very intense but I had no idea why he hated  
16 me so much until after I was kicked out of the religion. He  
17 completely changed the demeanor toward me and started  
18 putting me in basements. And I had an 18-month old baby and  
19 he took that baby from me. I didn't know where. I was  
08:59:24 20 pregnant with my second child.

21 Q. Okay. And were these children fathered by LeRoy Jeffs?

22 A. The two girls were.

23 Q. Who are here in the courtroom today?

24 A. Yes.

08:59:39 25 Q. At --

1 THE COURT: I'm sorry, were fathered by which  
2 Jeffs again?

3 THE WITNESS: Warren's older brother LeRoy.

4 THE COURT: Okay.

08:59:48 5 Q. (By Mr. Hoole) So you said that after you said you  
6 didn't want to marry him his attitude toward you changed and  
7 he started to hate you?

8 A. Very much so.

9 Q. Okay. Did there come a time when you learned something  
09:00:05 10 about Warren Jeffs that you didn't believe?

11 A. Yes.

12 Q. What was that?

13 A. This is when I was married to Rulon. We hadn't yet  
14 been told to move to the Creek, we were still here in Salt  
09:00:17 15 Lake living here. My father had just received Rulon's  
16 prized daughter, Rachel Jeffs, Warren's full sister. And  
17 him and I had gone on a hike up Bells Canyon in Little  
18 Cottonwood Canyon and my father just -- we got to the top of  
19 the mountain and he sat down and he just started crying. He  
09:00:40 20 said I need to tell somebody this but I can't tell anybody  
21 because no one will believe me. And he said, do you promise  
22 to not tell anybody this and I promised him. And then he  
23 proceeded to pour out his heart to me and tell me that  
24 Rachel, his -- now my father's wife, had told my father that  
09:00:59 25 Warren had molested her and done things with her sexually

1 that was very hard for my father to take. And Warren was so  
2 loved and revered and esteemed in the community I just  
3 couldn't believe my father.

4 THE COURT: So Warren was Rachel's brother?

09:01:22 5 THE WITNESS: Yeah.

6 THE COURT: Full brother?

7 MR. HOOLE: Rachel is Warren's sister.

8 THE COURT: By the same mother?

9 THE WITNESS: Mother and father, yes.

09:01:31 10 Q. (By Mr. Hoole) So your father told you that he had had  
11 sexual activities with his sister?

12 A. And he also explained to me how Rachel was so scared to  
13 let him touch her as a husband because of her trauma and how  
14 hard it was. So it was quite sometime before she started  
09:01:51 15 out with her first child. I did not know what to believe  
16 and I didn't really believe it at the time.

17 Q. So you didn't believe your father?

18 A. No. I had a -- I had a lot of compassion, but I didn't  
19 -- I -- it was so beyond my reach because of how much  
09:02:09 20 influence Warren had over my mind.

21 Q. Was your father eventually kicked out?

22 A. Yes.

23 Q. What does it mean to be immoral within the FLDS  
24 context?

09:02:18 25 A. Um, um, it's taught -- it's one of the biggest things



1 in our religion. If you're immoral, if is a man is immoral  
2 or commits adultery, he becomes a son of perdition which is  
3 the lower parts of hell than hell could actually be. There  
4 is no redemption whatsoever from it.

09:02:40 5 Q. Is that related to sexual conduct?

6 A. Any -- yes, any kind. Even -- we were taught  
7 fornication, too.

8 Q. So immorality refers to fornication and adultery --

9 A. Right.

09:02:54 10 Q. -- that kind of thing.

11 After you were married to LeRoy Jeffs, were you  
12 ever re-assigned to marry anybody else?

13 A. Yes.

14 Q. How did that happen?

09:03:02 15 A. Um, I -- my daughter was taken from me at 18 months old  
16 again and I was pregnant with my second daughter. And I was  
17 split from the family and sent to Nevada, Mesquite, because  
18 I was having a little bit of complications holding onto the  
19 baby. So he sent me with Rulon's wife Mary and David  
09:03:29 20 Allred.

21 And I basically, um, just one day Warren called  
22 me and basically told me that LeRoy had been corrected. And  
23 if I ever had anything to do with him or talked to him again  
24 I would lose all my blessings. So I never heard from LeRoy  
09:03:51 25 again. And I was sent back to the Creek and went into labor

1 early, I couldn't hold onto her, and had her within a few  
2 days of that correction.

3 Q. So when LeRoy was corrected, does that mean he was sent  
4 away from the people?

09:04:04 5 A. Yeah. I believe so, I don't know what happened. I  
6 never saw him again.

7 Q. Okay. When someone is corrected, does that generally  
8 mean they're disciplined?

9 A. Yes. The father is taken way from the family and the  
09:04:17 10 family -- there were times when the father could receive  
11 priesthood back but never in my instance. Um, I just never  
12 saw him again, the children never saw him.

13 Q. You never saw anybody get the priesthood back?

14 A. Not personally but I heard that some men did.

09:04:33 15 Q. Okay. So did there come a time when you were married  
16 to Seth Jeffs, another one of Warren Jeffs brothers?

17 A. Yes.

18 Q. And when was that?

19 A. It was three months after I had Rachel. June 24th of  
09:04:50 20 2005.

21 Q. And did you have a child with Seth?

22 A. Yes.

23 Q. Is that Joshua who is here today?

24 A. Yes.

09:04:58 25 Q. Okay. As the mother of three children, were you

1 allowed to raise your children yourself?

2 A. Not at all.

3 Q. In the FLDS, is there a concept involving the  
4 priesthood, or the children belonging to the priesthood?

09:05:14 5 A. I was always told, especially when I went in to take my  
6 children with me, that the seed was in the man. The woman  
7 has nothing to do with it. They are the priesthood's  
8 property and the woman is just the barer of the children.  
9 It's her greatest honor to bring those children forward.

09:05:31 10 Q. The word "priesthood," does that refer to a certain  
11 type of person?

12 A. Um, priesthood is where it comes in order. So when a  
13 boy turns 12 years old, he gets a certain degree. And by  
14 the time they're 18, I believe, they become an elder, which  
09:05:49 15 is full priesthood.

16 Q. When I use the phrase, "property of the priesthood,"  
17 what do you understand that to mean in terms of the  
18 children? Who do they belong to?

19 A. The father and the prophet and God.

09:06:03 20 Q. So ultimately the prophet decides who raises the  
21 children?

22 A. Exactly.

23 Q. And were you -- you said you were not able to raise  
24 your own children?

09:06:14 25 A. Yes.

1 Q. Can you walk us through what happened in having your  
2 children taken away?

3 A. Which time?

09:06:27

4 Q. The first time? Just go through them and tell us the  
5 states where this happened and approximate times, if you  
6 could?

09:06:45

7 A. When my 18-month old was taken from me, I had been  
8 hearing that there were mothers that were having their  
9 children ripped from them because Warren was raising an Army  
10 of God that was of pure blood line and pure seed.

09:07:05

11 And if mothers did not qualify or have their name  
12 whispered to the prophet, the children could be taken from  
13 those mothers and taken and re-assigned to different mothers  
14 who literally became their mothers. So my children, even  
15 when I went to claim them, did not know me as their mother  
16 ever.

09:07:25

17 I just got a call one day and LeRoy told me he  
18 was coming to take Rulicia from me, she was 18 months old.  
19 I asked why, what I had done wrong or what -- what -- why --  
20 there was no understanding and there was no understanding of  
21 why. And for me to even ask the question why is questioning  
22 the prophet and the Lord. So there was no clarity on why  
23 she was taken from me, just that I needed to qualify to go  
24 be with her. I had no idea where they were taking her, what  
09:07:44 25 state, when he would show up, everything happened in the

1 middle of the night.

2 Q. What did you do to try to qualify, if anything?

3 A. Oh everything from keeping sweet to not asking  
4 questions why, to stuffing all emotions down, to becoming  
09:07:59 5 nonhuman, a robot, to pretty much just live in a world that  
6 is not real.

7 Q. You mentioned that you tried to keep sweet. What does  
8 that mean?

9 A. Keep sweet means show no emotion, show -- show no  
09:08:17 10 feeling of any sort especially to your priesthood head  
11 because if you do, if you are in any rebellion of any kind,  
12 if you ask any question, I would lose anything that was most  
13 precious to me which would be my children at that time.

14 Q. So after your oldest daughter Rulicia was taken away,  
09:08:37 15 but also Rachel was too, right?

16 A. Yes, in time.

17 Q. Were you able to reunite with them?

18 A. For a short time after we were remarried to Seth,  
19 Warren's younger brother, we were just basically re-assigned  
09:08:50 20 and also told when we were re-assigned to that new man to  
21 never mention the other father. To cut all pictures out and  
22 burn them. To never mention to the children that they were  
23 the fathers and the new father then becomes their father and  
24 your priesthood head.

09:09:06 25 Q. So this was essentially an adoption?

1 A. Right.

2 Q. And a marriage in a spiritual sense?

3 A. Yes.

4 Q. And Seth became their literal father?

09:09:18 5 A. Yes. Then in those words but never as a father figure.  
6 He didn't want anything to do with his brother's children.

7 Q. Were you able to keep the children?

8 A. I was told that I didn't have the gift of the Holy  
9 Ghost in time and I wasn't allowed to touch them or be near  
09:09:37 10 them or be a mother of any kind. Because I didn't have the  
11 Gift of the Holy Ghost you can't raise children. You can  
12 only do dishes or clean house or --

13 Q. What time period was this when you were not able to  
14 touch them?

09:09:51 15 A. Um, their whole time. I either was put in basements or  
16 if they did bring me back with the children then the  
17 children weren't allowed to be with me.

18 Q. Where were you at this point?

19 A. I was either in Hildale, Colorado City, or I was in  
09:10:06 20 Colorado in basements. It would go between because they  
21 would bring me back for a minute and then put me back in  
22 basements.

23 Q. So did they move you back and forth from state to  
24 state?

09:10:16 25 A. Yes.

1 Q. How many states?

2 A. Um, between Colorado and Hildale and Arizona and then  
3 when the raid happened in Texas.

4 Q. You went to Texas?

09:10:27 5 A. (Witness nodded affirmatively.)

6 Q. Okay. So were the children ever taken away from you  
7 again?

8 A. Yes.

9 Q. Where was that?

09:10:37 10 A. That was in Colorado. November 1st.

11 Q. What happened at that time?

12 A. Excuse me. Um, Seth kept disappearing. And this was  
13 after he had been caught by the courts and for aiding and  
14 abetting his brother. And he had just gotten off of trial  
09:11:02 15 and I was heavily pregnant with my last son. Um, in January  
16 of 2007, January 5th, 2007, I got told that all my blessings  
17 were taken way and I was no longer allowed to be a mother  
18 and I found out within a few weeks I was pregnant with my  
19 son. And it was a huge embarrassment to Seth that he had  
09:11:30 20 gotten me pregnant by a repenting wife. So he told me  
21 immediately to write letters of repentance to the prophet.

22 Q. Okay. And at some point did you write a letter to the  
23 prophet disclosing what your father had said to you?

24 A. Yes.

09:11:48 25 Q. What did you write to the prophet?

1 A. I told him exactly what my father had told me that he  
2 had been immoral with his sister Rachel.

3 Q. Did you write to confront the prophet or what was the  
4 purpose of writing that letter?

09:12:00 5 A. Warren put a whole lot of pressure on us to write  
6 repentance letters and go into great details. He seemed to  
7 enjoy greatly the details especially of any immoral thoughts  
8 that anyone had or anything. So my -- when he told me all  
9 my blessings were taken, he told me it was because I was  
09:12:20 10 immoral and I had no idea what I had ever done.

11 Q. So why would you write a repentance letter to him  
12 talking about what your father told you?

13 A. Because I was going to do anything I could to see my  
14 girls again.

09:12:33 15 Q. Okay. Did you tell the prophet that you believed your  
16 father or that you didn't believe your father?

17 A. I told him I didn't believe him. I was trying to get  
18 into Zion with my children.

19 Q. So if I'm understanding correctly, you are trying to  
09:12:50 20 raise your children, they're being taken away. The way you  
21 understand you can earn them back is through obedience?

22 A. Yes.

23 Q. Not through trying to get them back?

24 A. There was no way. I had no idea where they were.

09:13:04 25 Q. So what was your hope? How would you earn your



1 children again?

2 A. Just work so hard, pray. I mean we were told to gather  
3 every hour, say a prayer for prophet's deliverance. Just  
4 work night and day. Just so many tears and exhaustion and  
09:13:25 5 wondering what I had done wrong and it was extremely, um,  
6 heart rendering because I couldn't understand what I did.

7 Q. Okay. Did you continue to lose your children? Did  
8 this pattern continue?

9 A. Yes.

09:13:47 10 Q. Um, I'm going to skip over all of the detail on the --  
11 on all of that but at some point were you able to get them  
12 back?

13 A. Only after I was sent away.

14 Q. How did you do it?

09:14:04 15 A. I was, excuse me, I was -- at first went septic in the  
16 hospital. I became so sickly and became septic and the  
17 doctors told me I was going to pass away. So I asked if I  
18 could say goodbye to my children and Seth said he would  
19 bring them down and at this point it was basically for about  
09:14:32 20 seven years after I got my blessings taken away. It was  
21 seven years of just torture, just constantly being asked why  
22 I was so unworthy and so wicked and why the Lord hadn't  
23 whispered my name, et cetera. And I knew I was dying and I  
24 just wanted to see them one last time and Seth walked in and  
09:14:56 25 shook my hand and said goodbye. And so I rolled off the

1 hospital bed and I went into the bathroom and I stood myself  
2 up to the toilet the best I could and I just said the most  
3 sincere prayer I had ever said in my life and just said if  
4 God would save my life and let me be with those kids I would  
09:15:15 5 do about anything. And a few days later the doctors figured  
6 out a new antibiotic that saved my life. And within -- I  
7 got home and I was still on I.V.s and I was told I was  
8 needed up at the meeting house. So I went to the meeting  
9 house and I went in front of a group of men. Isaac,  
09:15:38 10 Warren's younger brother, was sitting across the desk from  
11 me and I finally found out seven years later how I had been  
12 immoral and they called me a lesbian. That I had been a  
13 lesbian with my own sister Elizabeth. And I had no idea  
14 what the word meant. So I asked the brothers to please tell  
09:16:00 15 me what that meant and Isaac looked over at his brother and  
16 said explain. And he said well, it is where you were  
17 immoral with a sister you touched each other. And it was so  
18 crazy to me to even think that was even possible.

19 Q. Was the word lesbian ever used in your community?

09:16:19 20 A. No. Not to my knowledge. I had no idea that even  
21 existed.

22 Q. Okay.

23 A. Anyway, my heart broke again and there was something  
24 that just settled within me that there is no way I am  
09:16:31 25 leaving my kids. My daughter was eight, my oldest was eight

1 at this time, and I had been without her for all of them all  
2 those years and it was so scary but I made a choice that I  
3 wasn't going to leave them again. So I went back home and  
4 the nice thing was that Seth was corrected the same day so  
09:16:52 5 he wasn't in the house and my Uncle John had become the  
6 bishop, John Wayman, and they kept saying give the children  
7 back, give the children back. I took the kids over to my  
8 brother's, told them we're staying over the night, went back  
9 over to Seth's, gathered what I could and my brother Josh  
09:17:12 10 and my mother came down from North Dakota, picked us up the  
11 next day and my children were very upset at me. They didn't  
12 know me as a mother they thought I was taking them to hell.  
13 I thought I was taking them to hell. Um, Isaac told me if I  
14 took them their blood would be upon my skirt and I would be  
09:17:33 15 responsible for taking them away from the priesthood.

16 Q. And you took them any way?

17 A. I took them any way. But I just kept looking out the  
18 window waiting for lightening to hit me but I was to a point  
19 that I knew I was so close to death that if I couldn't have  
09:17:46 20 the last few moments with my children I would rather die any  
21 way that way with them.

22 Q. At some point after you got them and were able to get  
23 away, did you learn more about Warren Jeffs?

24 A. Yes.

09:18:01 25 Q. What happened?

1 A. My step dad that my mother had been remarried to came  
2 up to North Dakota to get her and had some information and I  
3 was disgusted by it. I didn't believe him at first because  
4 we had been taught so much about false prophets and  
09:18:18 5 deceivers that would come and lie to us. And I had been  
6 Warren's personal transcriber so I knew that if I could hear  
7 his voice, I would be able to tell. And, um, I got with my  
8 father, who I hadn't talked to for 10 years, and he referred  
9 me to a lawyer. And the lawyer handed me the books that  
09:18:39 10 they had gotten when he was pulled over. And so it was  
11 actual thick binders of documentation and it had CDs and  
12 disks in it.

13 As soon as I could, my sister and I went in a  
14 room and we slipped a disk into a recorder and I started  
09:18:58 15 listening to it. And what was on there was Warren taking  
16 all my sister wives that had been married to Rulon and  
17 making them lesbians with one another in the temple. And it  
18 was so grotesque I could only listen to about five minutes  
19 of it and I went and threw up. And then I made a decision  
09:19:21 20 then and there I was never letting my children go back again  
21 and held -- I mean they -- the Jeffs men kept calling me  
22 telling me they were the fathers and to -- I said I'm not  
23 giving them back and they said will you promise to teach  
24 those children to never disparage Warren Jeffs? And I said  
09:19:43 25 I don't believe it is right to just rip anybody's character

1       apart, but I'll tell you this, I by damn will never teach my  
2       children the Higher Law of Sarah or the things that I heard  
3       on those disks and I was never talked to again by them.

4       Q.    What's the Higher Law of Sarah?

09:20:01 5       A.    What Warren was doing in the temple with my sister  
6       wives and others.

7       Q.    So, um, when your children were removed from you, were  
8       you ever in a situation where you could not have contact  
9       with them but you were in the same structure, the same  
09:20:17 10      building?

11      A.    Yes.

12      Q.    Did you observe anything happen to them that caused you  
13      any particular stress?

14      A.    Yes. I wasn't allowed out of my room because I wasn't  
09:20:26 15      a part of the United Order. So they were assigned to other  
16      mothers. And the other mothers, there is a lot of jealousy,  
17      and I mean I felt those feelings, and I would hear my  
18      children just being scratched and they were screaming. And  
19      my second daughter had quite a fiery temper and she would  
09:20:47 20      come up into my room and her face was bleeding from the  
21      mothers taking their fingernails and scratching her. And my  
22      second daughter was -- would be pinched by the mothers  
23      themselves and stuff like that. So they were not loved by  
24      the family at all.

09:21:06 25      Q.    Did you suffer stress as a result of this?

1 A. Oh, so much stress.

2 Q. Can you explain that?

3 A. Oh, it was just heart rendering, heartbreaking, so  
4 confusing. And just -- I just dropped to my knees and asked  
09:21:24 5 God what have I done, did I do something in another life to  
6 make this happen? What did I do to cause this to my  
7 children? But if my children ran to me, they were  
8 immediately taken from a mother by a mother.

9 Q. Did you have any physical manifestations of the stress?

09:21:42 10 A. Yes, I was very sickly. I lived on I.V.s. I now have  
11 ankylosing spondylitis. It is a blood marker that is passed  
12 on through parents but it is only activated if you're under  
13 very high stress conditions. So I live with extreme pinched  
14 nerves, lesions on my brain, extreme anxieties. I mean even  
09:22:06 15 though we're out of the religion, it still follows you.

16 Q. Is it something that you deal with every day?

17 A. Every day.

18 Q. At some point when you were still in the religion did  
19 you lose your hair?

09:22:17 20 A. My hair is still gone. I'm wearing a wig.

21 MR. HOOLE: Your Honor, I wonder in order to make  
22 it a little easier to address damages, the disclosures  
23 provided in this case detail the economic damages. And I  
24 could file with the court the Plaintiffs' 16th Supplemental  
09:22:50 25 Disclosures which detail that. I also have the

1 documentation supporting these numbers but this is the  
2 calculation required by the federal rules. And if I could  
3 use that to proffer the damages that are economic, I think  
4 it could save some time.

09:23:11 5 THE COURT: You can do that.

6 MR. HOOLE: May I file this as Exhibit A?

7 THE COURT: Exhibit A.

8 MR. HOOLE: Okay. With that Your Honor, I won't  
9 ask damages questions. I won't ask questions about amounts  
09:23:29 10 and things like that. I think the detail --

11 THE COURT: It will all be found --

12 MR. HOOLE: I believe so, yes. And if the court  
13 needs to see the underlying documents, we can provide those.

14 That is all I have got for Alicia unless the  
09:23:42 15 court has more questions.

16 THE COURT: Mr. Hoole, I wish that you would ask  
17 her specific statements or material omissions made by Warren  
18 Jeffs that induced her to take specific actions or  
19 inactions.

09:24:04 20 MR. HOOLE: Thank you.

21 THE COURT: That would be helpful for each of the  
22 witnesses, if you would.

23 MR. HOOLE: Yes. Yes, Your Honor.

24 Q. (By Mr. Hoole) Do you recall statements being made by  
09:24:14 25 Warren Jeffs to the effect that he was the prophet?

1 A. No. Only in asking us to tell other people that he  
2 was.

3 Q. Was it widely accepted in the community that he was?

4 A. Yes.

09:24:29 5 Q. Did you -- did you rely on that? Did you rely on your  
6 belief in his statements?

7 A. Absolutely.

8 Q. Um, did everybody to your knowledge in the community  
9 also rely on that?

09:24:47 10 A. Absolutely.

11 Q. If they didn't believe that what would happen to them  
12 typically?

13 A. They were made a public example of and shamed in a very  
14 big way as far as I mean we were thousands and thousands of  
09:25:03 15 people and they were used as an example of what not to do.

16 Q. Did your belief in him as the prophet, like the other  
17 FLDS people, cause you to do things and to be obedient to  
18 his commands?

19 A. Absolutely.

09:25:17 20 Q. And did that also involve you giving up your children  
21 as directed?

22 A. Yes.

23 Q. And did that involve you trying very hard to show your  
24 faithfulness to try and earn your children back?

09:25:29 25 A. Yes.



1 Q. And did you rely on his statements and his  
2 representations that he was indeed the prophet?

3 A. Yes.

4 Q. Did he ever tell you he was not the prophet?

09:25:41 5 A. I did not hear that until after I had been kicked out.  
6 And then I watched the jail interview and I was shocked that  
7 that wasn't made, you know, made us aware of.

8 Q. But you didn't receive that message?

9 A. No.

09:25:58 10 Q. Um, and you relied on these false statements by him?

11 A. Yes.

12 Q. And the injuries and damages you have suffered that we  
13 talked about and have proffered to the court, were they the  
14 result of your relying on his false statements?

09:26:15 15 A. Yes.

16 MR. HOOLE: Thank you, Your Honor, I think that  
17 covers it.

18 THE COURT: May I ask this also, Mr. Hoole. Does  
19 the Exhibit A include specific evidence of any expenses that  
09:26:30 20 she incurred as a result of the mental and physical distress  
21 that you have had her describe to me?

22 MR. HOOLE: Um, with respect --

23 THE COURT: If it is there already just say so.  
24 But if not, I think you have to have that brought out.

09:26:48 25 MR. HOOLE: It lists total economic damages for

1 her.

2 THE COURT: Does that include doctors bills or  
3 similar things?

09:26:55

4 MR. HOOLE: It includes forced labor, loss of  
5 earning capacity, loss of personal property, and  
6 professional services, yes.

7 THE COURT: Professional services?

8 MR. HOOLE: That would be --

9 THE COURT: Incurred by her.

09:27:04

10 MR. HOOLE: Yes. That would be the therapy, and  
11 what not. And I would just note that that's as of the date  
12 of those initial disclosures. For many of the plaintiffs  
13 that has been ongoing but we're not going to get into the  
14 ongoing part of it. I think it's simpler to focus on what  
15 is in the disclosure document if that's okay.

09:27:20

16 THE COURT: And may I ask you, Ms. Rohbock, did  
17 that information contained in this exhibit that was just  
18 referenced, have you looked at those and can you affirm to  
19 the court that they are in fact the legitimate expenses that  
20 you incurred?

09:27:40

21 THE WITNESS: Yes.

22 THE COURT: And otherwise, the other evidence  
23 that Mr. Hoole just referenced you have reviewed and can  
24 affirm to the court that they are accurate as well?

09:27:51

25 THE WITNESS: Um, I pointed out the care and

1       there are some things that aren't quite covered but pretty  
2       punctual.

3               THE COURT:   So if anything, it excludes something  
4       that you felt could have been, but everything in Exhibit A  
09:28:08 5       is accurate to your knowledge?

6               THE WITNESS:   Yes.

7               MR. HOOLE:   And I would add your specific factual  
8       allegations, the ones that pertain to you individually, have  
9       you read those as well?

09:28:18 10       THE WITNESS:   Yes.

11              MR. HOOLE:   And are they accurate?

12              THE WITNESS:   Yes.

13              MR. HOOLE:   Okay.   Thank you Your Honor.

14              THE COURT:   Thank you.

09:28:24 15       MR. HOOLE:   Plaintiff calls Briell Decker.

16              THE COURT:   Thank you, Ms. Rohbock.   You may step  
17       down.

18              MR. HOOLE:   And Ms. Decker, Your Honor, has a  
19       trafficking claim.

09:28:42 20       THE COURT:   Okay.

21              THE CLERK:   If you will raise your right hand.

22                           **BRIELL DECKER,**

23       called as a witness at the request of the Plaintiffs,

24       having been first duly sworn, was examined

09:29:00 25       and testified as follows:

1 THE WITNESS: Yes.

2 THE CLERK: Thank you. And would you please  
3 state and spell your name, please.

09:29:14

4 THE WITNESS: Briell Decker. It's spelled  
5 B-R-I-E-L-L, Decker is D-E-C-K-E-R.

6 THE CLERK: Thank you.

09:29:41

7 MR. HOOLE: Your Honor, counsel has corrected me  
8 on one statement I made and that is with respect to the  
9 Exhibit A, the initial disclosures, they do not contain a  
10 specific number on medical bills that was derived from the  
11 documents that were produced. I can tell you the number, if  
12 that would be helpful with respect to Ms. Rohbock for  
13 professional services, and this will be in any subsequent  
14 filing I make for the court's consideration, 40,553 as of  
15 the date of that disclosure. Apparently that total is not  
16 referenced in the disclosure itself, just legal items.

09:30:07

17 THE COURT: Not attributed to her specifically?

18 MR. HOOLE: That's just to her specifically.

19 THE COURT: Okay.

09:30:22

20 MR. HOOLE: Yeah.

21 THE COURT: Ms. Rohbock, you just heard your  
22 counsel represent that dollar figure. Is that accurate to  
23 your knowledge?

24 MS. ROHBOCK: I think so. I'm not sure.

09:30:34

25 MR. HOOLE: She worked with us in putting it

1 altogether but --

2 THE COURT: Perhaps just to keep this as clean as  
3 possible, why don't you have her review those numbers at the  
4 break and then perhaps we'll put her back on the stand and  
09:30:50 5 have her just simply --

6 MR. HOOLE: We'll do that. Thank you.

7 THE COURT: Would that be appropriate, Mr. Hoole?

8 MR. HOOLE: Yes.

9 MS. ROHBOCK: Yes. Thank you.

09:30:56 10 **DIRECT EXAMINATION**

11 BY MR. HOOLE:

12 Q. Good morning, Briell.

13 A. Good morning.

14 Q. Um, were you born and raised in the FLDS?

09:31:04 15 A. Yes.

16 Q. Where do you live now?

17 A. I live in Colorado City, Arizona.

18 Q. Okay. Who do you live with?

19 A. I live with my husband now.

09:31:15 20 Q. Is he present today?

21 A. Yes.

22 Q. Have him wave. Okay. Do you live in a home that you  
23 received from the UEP Trust?

24 A. Yes.

09:31:31 25 Q. How did that happen? Is it complicated?

1 A. Yes.

2 MR. HOOLE: Um, maybe I can just proffer a brief  
3 thing, Your Honor, and see if she agrees with my statement.

4 THE COURT: That would be good.

09:31:47 5 Q. (By Mr. Hoole) People in the community may apply for a  
6 home or some property. Briell did that and she was awarded  
7 some property. It was too big for her needs so she donated  
8 that property to what is known as the Dream Center which  
9 helps people in transition and in exchange they helped you  
09:32:10 10 get into a smaller home; is that correct?

11 A. Yes.

12 THE COURT: Both these properties though were in  
13 Colorado City?

14 MR. HOOLE: The Dream Center is in Hildale her  
09:32:19 15 home is in Colorado City and they're twin towns right next  
16 to each other.

17 THE COURT: All right.

18 Q. (By Mr. Hoole) Okay. Briell have you had a chance to  
19 review those common facts pages 14 through 17?

09:32:31 20 A. I read the first some of it. I trust you guys though.  
21 It looks right. I don't know if that works, but it's 17  
22 pages long and --

23 Q. Okay. I may have you read them again and I may recall  
24 you up here.

09:32:50 25 A. Okay.

1 Q. I want to make sure that we got that accurate in terms  
2 of whether it reflects your story, okay?

3 A. Okay.

09:33:00

4 Q. Now, there was also some specific allegations about  
5 your story. Did you read those?

6 A. Yes, I did.

7 Q. Were those accurate?

8 A. Those are -- some of the dates and things are not exact  
9 but like most of it is.

09:33:12

10 Q. Do the dates that are not exact, do they matter? Does  
11 it make a difference?

12 A. I don't think so. My birthday is not May but yeah.

13 Q. Okay. Um, I'll give you a chance to read this a little  
14 bit more carefully so we can answer that question.

09:33:33

15 A. Okay.

16 Q. Um, that is in terms of the common facts?

17 A. All right.

18 Q. Briell, where were you born?

19 A. I was born in Sandy, Utah.

09:33:44

20 Q. Okay. At some point did you move to what is called  
21 Short Creek?

22 A. Yes, when I was 16.

23 Q. Is that Hildale, Utah and Colorado City, Arizona?

24 A. That was Colorado City, Arizona.

09:33:55

25 Q. Did you -- did it include Hildale, Utah, Short Creek?

1 A. Short Creek -- they're right next to each other. Our  
2 house was in Colorado City though at the time.

3 Q. I see. Okay. At some point did you enter into a  
4 marriage?

09:34:25 5 A. Yes.

6 Q. And who did you marry?

7 A. I married Warren Jeffs.

8 Q. What number wife were you, if you know?

9 A. I was number 65.

09:34:55 10 Q. After you married Warren Jeffs, was anything required  
11 of you in terms of being with his family, staying with him,  
12 or what happened to you?

13 A. The day of the ceremony like he -- after the ceremony  
14 he asked me to come sit on his lap. Like that?

09:35:21 15 Q. Well, um, let me just ask you. Did any sexual conduct  
16 occur at that point?

17 A. Yeah. But like it wasn't like -- I didn't respond to  
18 it but he did touch me all over.

19 Q. Before the sexual activity, how long before that did  
09:35:43 20 you know you were going to marry him?

21 A. I was bullied my whole life because I went to Alta  
22 Academy where he was the principal. I was raised with a lot  
23 of indoctrination. My family teased me, my sisters and  
24 brothers teased me a lot about I would probably marry Warren  
09:36:06 25 Jeffs. There were reasons but they weren't like well known.



1 I had assumptions of why that was. Um, when it actually  
2 came down to it, he had the ultimate say in every marriage  
3 and I was very concerned because I knew I wouldn't be  
4 treated well in his family because I didn't have the  
09:36:26 5 heritage that would give you those blessings.

6 Q. Okay. At some point did you meet with him about  
7 marriage?

8 A. I did.

9 Q. And after that meeting, how long was it before you  
09:36:43 10 actually married him?

11 A. It was five minutes after when I met the day it was  
12 like five minutes after he confirmed that I was to marry  
13 him. He just went right into the ceremony.

14 Q. Okay. And at that point did you leave your family?

09:37:02 15 A. I made him mad immediately after because I hesitated to  
16 accept his advances and so he sent me back home that night.

17 Q. Okay.

18 THE COURT: How old were you?

19 THE WITNESS: I was 18.

09:37:17 20 THE COURT: 18.

21 Q. (By Mr. Hoole) And then did you travel with him or his  
22 family after that point?

23 A. I did travel. Two weeks later he sent me to Texas.

24 Q. Okay. What states did you end up going with his  
09:37:36 25 family? To what states did you end up going?

1 A. I went to Nevada, Colorado, Utah, Arizona, Wyoming,  
2 Texas, South Dakota.

3 Q. And in those places were you required to work?

4 A. Yes.

09:38:01 5 Q. What kind of work did you do?

6 A. The women were required to sew, cook, garden, clean,  
7 teach school, correct like -- and some people stayed home  
8 and watched the pre-schoolers. Correct school work was a  
9 common one.

09:38:26 10 Q. And did you get paid for any of that work?

11 A. No. At one point he commanded that I could work but I  
12 was commanded that I could not work for money.

13 Q. Why did he command you that you could not work, if you  
14 know?

09:38:39 15 A. I could not work for money?

16 Q. Yeah. Well for money?

17 A. Right.

18 Q. So he said you can't work for money?

19 A. Right.

09:38:47 20 Q. But you had to still work?

21 A. Yes.

22 Q. Without being paid?

23 A. Right.

24 Q. And in all of those states that you discussed, did you  
09:38:54 25 do those kinds of jobs that you referenced?

1 A. Yes.

2 Q. Okay. Do you know how many times you moved?

3 A. Um, I know I moved to -- I moved a lot. There's 26

4 houses, at least, um, it doesn't count how many times I

09:39:24 5 moved back to the same house or how many rooms inside of the

6 house I moved to. We lived out of bags.

7 Q. Okay. How many times would you estimate that you

8 actually moved from one place to another?

9 A. I have no idea.

09:39:38 10 Q. Your specific allegations say 26?

11 A. 26, yeah.

12 Q. Does that sound right?

13 A. Yeah.

14 Q. Okay. Was there a point in this situation where you

09:39:55 15 decided you needed to leave?

16 A. Yes.

17 Q. Where was that and when was that?

18 A. So, um, in Texas, there was a really bad instance of

19 that he brought me into a training.

09:40:12 20 Q. Let me --

21 A. And that led to --

22 Q. Let me have you back up. Did anything happen in Las

23 Vegas?

24 A. Yes. That was after that training though.

09:40:21 25 Q. I'm sorry. Then talk about Texas?

1 A. So in Texas, um, he called for me to go to his room one  
2 day. When I got to his room, he had a sister wife come and  
3 tell me. When I got to his room, he had five other sister  
4 wives that he told to sit in the front, and he told us we  
09:40:41 5 needed to stay focused on him, and he was sitting there so  
6 he was watching us. And he told us not to turn around or  
7 look behind us at all. We didn't dare. We did hear like  
8 noise, like the door opening and closing, but we didn't dare  
9 turn around, at least I didn't.

09:40:58 10 And after that, he started recording and he  
11 started teaching us about -- he called it the Introduction  
12 to the Law of Sarah. Um, he went into great detail about  
13 how in -- when Adam and Eve the forbidden fruit was another  
14 man and how in Joseph Smith trainings it talked about there  
09:41:28 15 would be more revealed later on the Section 133, I think it  
16 is 133 of when it talks about plural marriage or polygamy  
17 and he said there would be more revealed later.

18 And he said I'm going to teach you the more, what  
19 God has revealed to me about what the more is. After he got  
09:41:50 20 done teaching us he said do you believe me? And he said  
21 that after every training in big churches, everything, and  
22 it was common to just all agree because then he also if you  
23 don't agree then you have to like publicly say I don't  
24 agree. So I agreed. And then he said, if you agree, I want  
09:42:10 25 you to prove it to me. And the five women in the front, um,

1 we're all adults in my case, um, he had us undress to prove  
2 it and then he said turn around. So we turned around and  
3 the whole room was filled with other wives that were also  
4 undressed.

09:42:35 5 Q. How big was that room compared to the courtroom?

6 A. The room was a bedroom, it wasn't in the temple yet, it  
7 was the introduction, he called it the introduction to what  
8 was going to happen in the temple. He told us there would  
9 be more later, there would be more things, sexual things,  
09:42:55 10 and I, um, I walked out of that room later, you know, I  
11 dressed after when he told us we could. I walked out of  
12 that room, I immediately wrote to him and I told him I just  
13 need more time to process this, I just can't process it fast  
14 enough for him. Like I need to process it on my own time.

09:43:16 15 Q. What was your understanding of what he was asking you  
16 to do that you needed to process?

17 A. I believe he was -- he was asking us to join an orgy.  
18 And I wasn't -- I wasn't really -- I didn't want to do that.  
19 When I did turn around and see the women in the room, there  
09:43:36 20 was underage brides in there. That's when I noticed the  
21 underage brides.

22 So when I walked out of there, I did have intent  
23 to leave for good but I was in a compound with like a guard  
24 tower and gates all around and they were driving around  
09:43:55 25 every 15 minutes. I knew that it wasn't -- I didn't have an

1 escape plan unless I figured it out on my own.

2 Q. Were you restrained in other words?

3 A. I believe that I would have been restrained if I tried  
4 to fight back. Like I was even bold enough to tell him I  
09:44:15 5 didn't agree with it, which I couldn't tell him, I felt like  
6 I needed to just play a game. I needed to tell him enough  
7 to say I need time to process instead of saying I don't  
8 agree with you. And I did witness him telling other women,  
9 no, you cannot leave this -- this place. I did know that  
09:44:35 10 some of the women were in tears because they had children on  
11 the property. They were torn between leaving their children  
12 on the property with this man who is doing things like this,  
13 and, um, just leaving for their own safety. But like they  
14 couldn't leave, they would be pulled back in multiple times  
09:44:55 15 if they stayed.

16 So in my case I didn't have any children with him  
17 so I was able to, um, tell him in whatever way I could to  
18 survive that I needed more time, whatever it was it was  
19 survival for me. He did buy into my story. He did send me  
09:45:18 20 away. He sent me to Vegas. That's where I went was Las  
21 Vegas.

22 THE COURT: How old were you when you received  
23 this training?

24 THE WITNESS: I believe it was 20, I think I was  
09:45:30 25 20. I believe I was 20 years old. Like two years after I

1 married him. Well, actually I can't remember exactly. It  
2 was in between there because like he got caught, so I got  
3 married him -- the day before the meeting, I'm not good with  
4 dates, but the day before the meeting, January 9th, was my  
09:45:54 5 marriage date, the day before the big meeting January 10th  
6 where he corrected all those men and so he got caught  
7 somewhere in there. But I stayed way from him successfully  
8 until he was caught by being openly rebellious after he sent  
9 me to Las Vegas.

09:46:11 10 Q. (By Mr. Hoole) Okay. So when you turned around in  
11 this room, were the other women and girls clothed?

12 A. No.

13 Q. How many were there?

14 A. There was 20 or 30, like there was a lot of them.

09:46:25 15 Q. Okay. And so you were able to convince him that you  
16 needed to leave and you went to Las Vegas?

17 A. Right.

18 Q. What happened in Las Vegas?

19 A. In Las Vegas I determined that the God I had been  
09:46:40 20 raised with my entire life was not adding up. And I decided  
21 that, um, I didn't know God, I still believed in him but I  
22 didn't know him. Um, I wrote to him, Warren Jeffs, and told  
23 him that I was not going to pray to ensure that I don't go  
24 back to Texas before I felt I was ready. I did tell him  
09:47:05 25 that I was going to read and the only books I had available

1 to me were his interpretations or other leaders that he had  
2 compiled their trainings. So it was basically his  
3 interpretations of everything I had available to me. But I  
4 knew if I openly rebelled too far, it would cost me more.  
09:47:24 5 So I wanted -- I wanted to try to eliminate as many  
6 punishments as I felt like I could so I just told him I need  
7 to study and read and process and I'm just going to do that  
8 as much as I can between my chores, between cooking, between  
9 what I had to do and I did that until he was caught.

09:47:49 10 Q. Okay. And once he was arrested, did that change things  
11 for you?

12 A. Yes. When he got arrested, I was hopeful that I could  
13 maybe escape. I didn't feel like I wanted to try to escape  
14 before that. I was afraid of being pulled back in to those  
09:48:07 15 orgy things and I didn't want to have that risk. So I  
16 waited until he was caught because I knew that he was  
17 running from the law even before. Like he wasn't on the  
18 most wanted list when I married him, but he was -- he told  
19 me after the ceremony that he was running from the law. Um,  
09:48:25 20 I -- he may have said it in a church training before that, I  
21 don't remember registering until after the ceremony, but,  
22 um, so yeah.

23 Q. When you were being trained, did there come a point  
24 where an issue involving your father arose?

09:48:47 25 A. Yes.



1 Q. Can you explain what that was?

2 A. So when I was openly rebellious, when he got caught and  
3 I started to try to find routes out of the church, um, he  
4 sent people to surround me that were really loyal to him,  
09:49:07 5 very harsh, he was very angry at me. Um, he figured I had  
6 done it all on purpose. I -- we never -- I never was  
7 brought back into another bad situation as far as sexual  
8 while he was outside of prison so he felt like I had -- I  
9 was like a target, like I put a target on my back because  
09:49:32 10 I was one of the only ones that were able to successfully  
11 evade those. And each time you get brought in it kind of  
12 builds guilt and he would use that against you. He would  
13 tell you you are an accomplice, the world doesn't want you.  
14 But in my case, I had walked away. So I had -- he was very  
09:49:51 15 angry. He put people around me. I was very psychologically  
16 abused and threatened, um, for three years it went on before  
17 I made it back to Colorado City.

18 Q. Was there a specific incident involving your father?

19 A. Yes. When I went back to Colorado City, I was the  
09:50:11 20 first one in Warren Jeffs family to go back to Colorado City  
21 when he took his family away from Colorado City. When that  
22 happened, it was determined on investigating my parents they  
23 wanted me to go back to Colorado City to live with my  
24 parents to investigate my parents.

09:50:28 25 Q. What is your understanding of what Warren Jeffs wanted?

1 A. He told us, according to scripture, it says if you were  
2 not -- if you didn't understand the scriptures by the time  
3 you were eight years old, then the sin goes on the head of  
4 the parent. So I had been threatened and they were going to  
09:50:45 5 investigate my parents meant my parents would be threatened.

6 Q. What did you understand would happen to your parents?

7 A. Um, when I lived in my father's house, when I did go  
8 back there, there was a time that I found a noose in my  
9 hamper and I told my mother because I was concerned for her,  
09:51:06 10 for my father, and for me now. Wasn't just a battle of my  
11 life any more and what I was going do with my life, you  
12 know, as best as I could, it was a battle to protect my  
13 parents. They didn't understand to the same degree that I  
14 did. Um, so I told her about the noose. She said let's  
09:51:23 15 just put a baby monitor in your room tonight and we will  
16 listen to see if anybody comes around. Like there was  
17 cameras on our house, we didn't know at the time, but they  
18 were watching when we were leaving and coming. Um, so I did  
19 that. And the next morning my mother came to me and she  
09:51:43 20 said why did you get up in the middle of the night and  
21 unplug your baby monitor? And I said I didn't do that and  
22 she didn't really believe me. But she said in the middle of  
23 the night it got unplugged and we went over there, and, um,  
24 I touched the doorknob and it got plugged back in and then I  
09:52:02 25 went back to my room. She didn't actually open the door

1 which scared me really bad because I knew that if they had  
2 opened the door what would have happened to them. Um, so at  
3 that point I did jump off a two story building, I mean not  
4 building but jump off two stories off the porch to protect  
09:52:26 5 them and to protect me and I didn't stay in the home that  
6 night.

7 Q. So let me call your attention to an incident in  
8 Wyoming, um, where you were in a reservoir?

9 A. Right.

09:52:40 10 Q. Did that incident, and you can explain it, did that  
11 have anything to do with your father?

12 A. That incident was before they set up to investigate my  
13 parents.

14 Q. Tell us what happened in that case?

09:52:51 15 A. In that case it was during the time of when they were  
16 in Texas, the authorities were in Texas investigating Warren  
17 Jeffs, investigating taking the children for a time. Um, I  
18 was in South Dakota when it originally started and then they  
19 took me to Wyoming to a house that had a reservoir close by.  
09:53:12 20 And they told me if you kill yourself, we will tell everyone  
21 that it was an accident. But if you don't kill yourself,  
22 then we will kill you and tell everybody you did it  
23 yourself. So I thought a little bit about it, I didn't have  
24 a lot of time to think about it, but I did climb out the  
09:53:36 25 window. I was thinking of more of an escape route.

1 Q. So did you climb out the window in --

2 A. In Wyoming.

3 Q. -- in Wyoming.

4 A. I went to the reservoir.

09:53:43 5 Q. Okay.

6 A. And I debated -- like I wasn't sure if I was on the

7 compound, I didn't know if I could run to a neighbor or

8 anybody. It was a cloudy day so there was nobody at the

9 reservoir. But I didn't know -- I wasn't sure if I could,

09:53:59 10 um, go to a neighbor because I wasn't sure if there would be

11 FLDS. I didn't know if I was just in a house or in like a

12 compound setting.

13 So I -- I went inside of the reservoir because I

14 felt like if I didn't, they would just say they could see

09:54:17 15 me. And so I stood in the reservoir for quite a while up to

16 my neck. Like they would have to be pretty close to be able

17 to rescue me at that point. They never came. So I

18 eventually climbed out and cried for a while and determined

19 I needed to go back to the house that I came from because by

09:54:36 20 this time, all of the other ladies that are in that house

21 would make it more -- it would kind of give me a protection

22 because they don't do things publicly, um, FLDS do not do

23 things publicly. So if the house is all flagged that there

24 is a problem, and I come back, they wouldn't be able to kill

09:54:57 25 me that easy.

1 Q. Okay. Were you trying to kill yourself in the  
2 reservoir?

3 A. No. I was trying to process how I was going to survive  
4 this. I also really wanted to know if they were serious.

09:55:11 5 Q. Okay. After the incident in Texas where you turned  
6 around and saw all of these ladies of Warren Jeffs, um, and  
7 you said you decided yourself you needed to get out somehow?

8 A. Yes.

9 Q. How long did it take you to actually successfully  
09:55:30 10 escape?

11 A. I was married to Warren Jeffs for eight years. I  
12 believe, um, I don't know the exact time frame.

13 Q. Does three years sound right?

14 A. At least three years. It might have been four from the  
09:55:48 15 time that I made that decision.

16 Q. Okay. And had you attempted during that four-year  
17 period of time to get out?

18 A. Yes.

19 Q. Okay. And were you caught and brought back?

09:55:58 20 A. Yes.

21 Q. Finally you were able to get out; is that correct?

22 A. Yes. I did escape in Colorado City.

23 Q. Where did you wind up after that?

24 A. I went to Tennessee. Well I went -- yeah to Salt Lake  
09:56:12 25 first, then I worked with some organizations that brought me

1 to Tennessee.

2 Q. And do you know why you went to Tennessee?

3 A. Yes.

4 Q. Why?

09:56:21 5 A. They were chasing me.

6 Q. Okay. So it was a place to stay?

7 A. Yes.

8 Q. And did you end up changing your name?

9 A. Yes.

09:56:29 10 Q. What did you change your name to?

11 A. Briell Decker. Well first I changed it to Serena Joy  
12 and then I changed it to Briell Decker.

13 Q. So you changed your name twice in Tennessee?

14 A. Yes.

09:56:40 15 Q. Was that for your self protection?

16 A. Yes. First I changed it fast and then I thought about  
17 my name later so I wanted a name that I would like and be  
18 able to --

19 Q. So you're now Briell Libertae?

09:56:51 20 A. Yeah, Briell Libertae Decker and then I am married now  
21 so it is Blanchard. But on my social it is still Decker.

22 Q. Okay. So in these various houses that you have lived  
23 in and were working, were you providing services or labor  
24 for Warren Jeffs and for his benefit?

09:57:13 25 A. Yes.

1 Q. Were you required to do that by your belief in him?

2 A. It was more for survival. I didn't want punishment.

3 So even though I had given up on a lot of the belief in him,

4 I didn't want to get punishments because that could include

09:57:35 5 my death, or my parents death, or family members death.

6 Q. So were you concerned about threats of violence against  
7 you?

8 A. Yes. And also my mental health was targeted.

9 Q. And were you also restrained in these places so that

09:57:47 10 you couldn't leave?

11 A. Yes.

12 Q. And when you did try to leave you were brought back?

13 A. Yes.

14 Q. Okay. And were you paid at all?

09:57:57 15 A. No.

16 Q. And would you say that you did this because you had

17 been deceived by him? You provided this work, this labor,

18 this services for him because of deception?

19 A. Because of deception and survival.

09:58:20 20 Q. Okay. And did Mr. Jeffs benefit from the labor that

21 you and other FLDS people provided?

22 A. Yes.

23 Q. Okay. Was it all to build up his program?

24 A. Yes.

09:58:37 25 MR. HOOLE: Your Honor, I would, unless the court

1 has other questions, I would submit her damages as well, um,  
2 and then I will recall her after she has a chance to look at  
3 those common allegations. As to her damages, we have -- we  
4 have them listed I believe in the initial disclosures, but  
09:59:13 5 again I think that the medical bills themselves haven't been  
6 totalled; is that correct?

7 MS. PORTER: Correct. We produced the bills but  
8 have not totalled them.

9 MR. HOOLE: My understanding is the medical bills  
09:59:24 10 she had incurred through her various hospitalizations -- and  
11 have there been many hospitalizations?

12 THE WITNESS: I have severe PTSD.

13 Q. (By Mr. Hoole) For mental health purposes?

14 A. Right.

09:59:35 15 Q. They exceed \$900,000. And we have that detail, I  
16 understand, but we didn't total it in the -- in the  
17 disclosure. So let me ask you whether or not you agree with  
18 me or not whether or not your medical bills exceed \$900,000?

19 A. Yes, I agree.

09:59:57 20 MR. HOOLE: Okay. That's all I have of this  
21 witness then.

22 THE COURT: Thank, you, Ms. Decker. I have no  
23 questions.

24 THE WITNESS: Okay.

10:00:06 25 THE COURT: You may step down.



1 MR. HOOLE: We'll call Thomas Jeffs. And Your  
2 Honor, Mr. Jeffs has a fraud and a trafficking claim.

3 THE COURT: Okay. If you will stand and raise  
4 your right hand.

10:00:36

5 **THOMAS JEFFS,**  
6 called as a witness at the request of the Plaintiffs,  
7 having been first duly sworn, was examined  
8 and testified as follows:

9 THE WITNESS: Yes.

10:00:44

10 THE CLERK: Thank you. And would you state and  
11 spell your name, please.

12 THE WITNESS: Thomas, T-H-O-M-A-S, and my new  
13 legal name, last name, is Cafarelli, C-A-F-A-R-E-L-L-I.

14 THE CLERK: Thank you.

10:01:03

15 **DIRECT EXAMINATION**

16 BY MR. HOOLE:

17 Q. Good morning, Thomas. When did you change your name?

18 A. I changed it October of last year.

19 Q. Why did you change it?

10:01:12

20 A. To get away from the Jeffs name.

21 Q. Are you the son of Lyle Jeffs?

22 A. Yes, I am.

23 Q. And the nephew of Warren Jeffs?

24 A. Yes.

10:01:26

25 THE COURT: What was your father's name?

1 THE WITNESS: Lyle Jeffs.

2 THE COURT: Lyle.

3 Q. (By Mr. Hoole) Did he serve a prison term?

4 A. He did serve a prison term.

10:01:34 5 Q. That was related to the food stamp?

6 A. Food stamp fraud.

7 Q. Okay. Were you born and raised in the FLDS?

8 A. Yes, I was.

9 Q. Were you ever married in the FLDS?

10:01:50 10 A. No, I was not.

11 Q. You were a young boy, I suppose, when you started to  
12 work; is that correct?

13 A. That's correct.

14 Q. When did you start working for the church?

10:02:00 15 A. I -- well, I started working when I was 14 years old.

16 Q. Did that become full-time work at some point?

17 A. It did become full-time work.

18 Q. How did you manage school?

19 A. Um, I went to school through the day, um, of course we  
10:02:18 20 got out at 3:00 and went to work after that.

21 Q. What grade were you able to complete?

22 A. I only made it through ninth grade in their curriculum.

23 Q. Their home schooling curriculum?

24 A. Yes.

10:02:32 25 Q. Do you know how that compares to public school

1 generally in Utah?

2 A. Not typically, no. Never went to a public school.

3 Q. And then did you continue to work full-time for the  
4 church ever since that time?

10:02:45 5 A. Yes.

6 Q. Until you left?

7 A. Until I left, yes.

8 Q. Okay. Now --

9 THE COURT: When did you leave?

10:02:53 10 THE WITNESS: I left October 31st of 2013.

11 THE COURT: How old were you then?

12 THE WITNESS: I was 26.

13 Q. (By Mr. Hoole) Okay. Have you read the common  
14 allegations?

10:03:09 15 A. Yes.

16 Q. Do you agree with them or need to make any changes to  
17 them?

18 A. I agree with them completely.

19 Q. Okay. Have you read your specific allegations?

10:03:18 20 A. Yes, I have.

21 Q. And are they accurate?

22 A. They are.

23 Q. Okay. Growing up, do you remember a time when Warren  
24 Jeffs became the prophet?

10:03:30 25 A. Yes, I do.

1 Q. Did you believe in him as the prophet?

2 A. Wholeheartedly.

3 Q. Okay. Did your relationship with him, which probably

4 was closer than most people because he was your uncle,

10:03:46 5 reveal anything to you that would have caused you to

6 question whether or not he was the prophet?

7 A. Absolutely not.

8 Q. Okay. Were you allowed to question whether or not he

9 was the prophet?

10:03:57 10 A. No. We were told to put any questions on the shelf and

11 believe but stop asking the questions.

12 Q. As the prophet of the group, did he have the ability to

13 control you?

14 A. Absolutely.

10:04:19 15 Q. What aspects of your life did he control?

16 A. Everything down to the way we dressed.

17 Q. Okay.

18 THE COURT: Everything down to what?

19 THE WITNESS: The way we dressed.

10:04:29 20 THE COURT: The way you dressed.

21 Q. (By Mr. Hoole) So he controlled --

22 A. How you got dressed, everything.

23 Q. Marriages?

24 A. Marriages. What you ate, what you couldn't eat,

10:04:39 25 literally every aspect of your life.

1 Q. Where you worked?

2 A. Where I worked.

3 Q. Who you lived with?

4 A. Uh-huh (affirmative).

10:04:45 5 Q. Whether you could keep your children?

6 A. I never had any children there but to stay with the  
7 family, yes.

8 Q. And whether you could stay with your family?

9 A. Uh-huh (affirmative).

10:04:55 10 Q. You had experience there, don't you?

11 A. Yes.

12 Q. Okay. Did he control the way you could think?

13 A. No.

14 Q. He had no control over how you thought?

10:05:06 15 A. Well of course we could think whatever we wanted to,  
16 but to be open about the way we thought absolutely not  
17 unless it was in support of him.

18 Q. What information were you allowed to receive?

19 A. Um, we weren't allowed any sort of television or  
10:05:29 20 outside, you know, internet, et cetera.

21 Q. Could you read any book you wanted?

22 A. We could not. It was -- it was --

23 Q. Could you turn on a radio?

24 A. No.

10:05:43 25 Q. Read a newspaper?

1 A. Nope.

2 Q. Watch the news?

3 A. Absolutely not.

4 Q. Was everything that you were allowed to consume as far  
10:05:50 5 as information approved by Warren Jeffs?

6 A. Yes.

7 Q. Were you allowed to raise any doubts?

8 A. No. I mean when we did, then we were severely  
9 reprimanded and either sent away or worse.

10:06:07 10 Q. And did you see that happen throughout the community?

11 A. Absolutely.

12 Q. Okay. Nevertheless, you believed he was a prophet, you  
13 had sincere religious beliefs, um, is that --

14 A. Yes.

10:06:23 15 Q. And did he take advantage of those beliefs?

16 A. Absolutely he did.

17 Q. Did you rely on your belief in him?

18 A. I did.

19 Q. Did the other FLDS people, to your knowledge, similarly  
10:06:32 20 rely on him?

21 A. Yes.

22 Q. Did he hold himself out as the prophet?

23 A. He did.

24 Q. Have you ever heard the phrase "the prophet can do no  
10:06:42 25 wrong"?

1 A. That was engrained into us.

2 Q. What did it mean to you the prophet can do no wrong?

3 A. Whatever he was required or required, he couldn't -- he  
4 couldn't do wrong. It was impossible for him.

10:07:05 5 Q. Something that could not happen?

6 A. Exactly. Exactly.

7 Q. Okay. Is that a belief common in the FLDS?

8 A. That is a belief common in the FLDS.

9 Q. So you had that belief and you were not provided any  
10:07:21 10 information other than what he allowed you to have?

11 A. Exactly.

12 Q. And was that common in the FLDS?

13 A. Yes.

14 Q. In terms of information?

10:07:28 15 A. Yes.

16 Q. And were there consequences if somebody accessed a  
17 media of any kind?

18 A. Yes. You would either lose priesthood and get sent  
19 away or be corrected.

10:07:44 20 Q. Did Warren Jeffs have audio tapes of his sermons that  
21 he had people listen to?

22 A. We were supposed to listen to them every single day, so  
23 yes.

24 Q. And did you do that?

10:07:55 25 A. I did.

1 Q. How long in a day would you typically do that?

2 A. Um, at least one hour a day but we were required in our  
3 family.

4 Q. Um, as a young boy in the FLDS you started to work  
10:08:16 5 full-time at what age?

6 A. Full-time -- well during the summers full-time since I  
7 was 14. Um, I started working full-time when I was 17.

8 Q. Okay. What was your first job?

9 A. Um, well, there would be a correction, I guess, in my  
10:08:38 10 proffer. I actually did start working for Steeds

11 Incorporated. I forgot to tell you about that. We were  
12 living up here in Salt Lake City. That was short term.

13 Q. Is that an excavation company?

14 A. No. That's -- well, it is an excavation company but I  
10:08:52 15 worked in the concrete division.

16 Q. And when did you start that?

17 A. When I was 14. Then we moved to Colorado City in 2001  
18 and I started working for ALCO which is a printing company  
19 printed lanyards, et cetera.

10:09:10 20 Q. Why did people move from Salt Lake to Colorado City?

21 A. Because there was an evil coming to the Salt Lake  
22 Valley in 2002 when the Olympics came.

23 Q. Was there any kind of prediction regarding destruction?

24 A. Yes. This valley would be wiped off the face of the  
10:09:30 25 earth.



1 Q. Okay. So everybody moved down south?

2 A. Everybody moved down to Colorado City.

3 Q. Okay.

4 A. And Hildale.

10:09:37 5 Q. Um, based on your faithfulness to Warren Jeffs, did you  
6 go to work at these various places?

7 A. Yes, I did.

8 Q. So after Steeds and after ALCO, where was the next  
9 place you went to?

10:09:54 10 A. I worked for Daygro Truss.

11 Q. Do they build trusses?

12 A. Yes.

13 Q. And where did you work after that?

14 A. After that, I was told to work directly for my dad. At  
10:10:09 15 that time he was counselor to the bishop but he was in the  
16 bishopric in a leadership position. So I worked for the  
17 storehouse from then on.

18 Q. Did you have any responsibilities with respect to  
19 church security?

10:10:27 20 A. Yes.

21 Q. What was that all about?

22 A. So I was -- I was his personal bodyguard for -- my  
23 dad's personal bodyguard for a bit but always a part of the  
24 church security which, um, in a sense was to help him evade  
10:10:50 25 the FBI and authorities but also watch the people.

1 Q. Watch the people?

2 A. Anybody was out of line, we told on them.

3 Q. And then they would be --

4 A. Either kicked out, corrected or -- I don't know

10:11:13 5 whatever happened to everybody but yeah.

6 Q. And as a member of the church security, um, did you

7 also work with the local marshal's office?

8 A. Yes, we did. Very closely.

9 Q. And the marshal's office was the public police?

10:11:32 10 A. They were the public police, but they were all members

11 of the church. And if it come down to what we considered

12 God's law versus man's law or the law of the land, they

13 would always support God's law even if it came in conflict

14 with the laws of the land.

10:11:52 15 Q. They believed that was a higher law?

16 A. Yes.

17 Q. So in a conflict they would disregard the law of the

18 land and go with the higher law?

19 A. Absolutely.

10:12:00 20 Q. Okay. And they have all been decertified at this

21 point?

22 A. Yes.

23 Q. Where did you work after Daygro, excuse me, we talked

24 about church security?

10:12:13 25 A. Yes.

1 Q. After church security, what happened?

2 A. So in 2010, I was called to the ranch. I was -- my  
3 name was whispered to the prophet, I guess, and I became a  
4 part of the elect.

10:12:31 5 Q. Part of the elect?

6 A. Yes (witness laughing).

7 Q. You're laughing. Why is that?

8 A. Well, because I was -- I believed in it full-heartedly  
9 and now I realize how stupid it is.

10:12:47 10 Q. Okay. Well, were you keeping all of the rules?

11 A. Yup, you keep all of the rules.

12 Q. Okay. So you went to Texas?

13 A. Yes.

14 Q. What did you do in Texas?

10:12:55 15 A. I was put in charge of the dairy. And so my typical  
16 day started at 2:30 in the morning, milk cows. Every  
17 morning we had to meet, well the elders had to meet and we  
18 went over what we were supposed to do that day, um, which  
19 was all construction work, heavy labor. So between milking  
10:13:24 20 cows, it was hard labor. I worked until midnight at least  
21 every -- every day. So my typical day was 20 to 22 hours a  
22 day.

23 Q. How could you sustain yourself working that many hours?

24 A. I couldn't. We just had to keep on going.

10:13:49 25 Q. What did you do? I mean how did you keep up or did you

1 keep up?

2 A. I didn't keep up. It was extremely hard.

3 Q. Okay. And you did that though why? Why would you do  
4 all of that hard work for so many hours?

10:14:10 5 A. Well, because we were told that we were building Zion  
6 and this was going to be the first part of the resting place  
7 for the righteous. It was -- we were working for our  
8 eternal salvation and if it wasn't for God, you know, we  
9 were nothing.

10:14:33 10 Q. If you had not done what they told you, what would have  
11 happened?

12 A. We would have been sent away, lost priesthood, kicked  
13 out.

14 Q. How do you know that?

10:14:43 15 A. Seen it happen to many other men.

16 Q. Did this cause you to live in some degree of fear?

17 A. My whole life was fear.

18 Q. When you were in the FLDS, did you recognize that you  
19 were living in fear?

10:14:59 20 A. I didn't. Um, we were -- we were taught to love even  
21 our enemies which was anybody outside of the church but yet  
22 the way we were, I don't know, physically -- I mean we were  
23 all but taught, too, to hate everybody outside.

24 Q. Okay. Um, after Texas, where did you go?

10:15:35 25 A. I went back to Colorado City. I was sent away from

1       there.

2       Q.    You were sent away from Texas?

3       A.    Yes.

4       Q.    Do you know why?

10:15:44 5       A.    Um, because I was immoral, supposedly. I don't know  
6       why. They didn't really say except for that I was immoral.

7       Q.    That is what they told you?

8       A.    Yeah.

9       Q.    So you went back to Colorado City?

10:16:03 10       A.    I went back to Colorado City and then was sent away  
11       from there to work for Eco Alliance and Phaze Concrete and  
12       to turn in everything.

13       Q.    When you say "turn in everything," give the court some  
14       sense of what you mean in terms of your entire working life  
10:16:27 15       for Warren Jeffs. How much of the money were you able to  
16       keep? How much were you not able to keep? Can you just  
17       describe that. I'm not asking for amounts, I just want to  
18       see --

19       A.    Up until I started working for the storehouse, I turned  
10:16:40 20       in everything, 100 percent. Then when I was then sent out  
21       to work for Phaze and Eco Alliance, Eco Alliance I got maybe  
22       \$1,200 a month and everything else I made on top of that  
23       they actually just took and gave to the church. Phaze, um,  
24       I had to hand over my check to dad and he decided how much I  
10:17:16 25       would keep.

1 THE COURT: Were each of these business entities  
2 you just mentioned owned by the FLDS church?

3 THE WITNESS: Yes.

10:17:27

4 THE COURT: Would you -- would you actually  
5 receive a paycheck from them on each instance or would  
6 they --

7 THE WITNESS: Not all of the time, no.

8 THE COURT: So you often times worked --

9 THE WITNESS: Without paychecks.

10:17:40

10 THE COURT: -- without any paycheck.

11 Q. (By Mr. Hoole) And at other times did you receive  
12 paychecks and have to turn them back?

13 A. Yes.

14 THE COURT: Turn them back to --

10:17:51

15 THE WITNESS: To the church.

16 THE COURT: To the church.

17 THE WITNESS: Uh-huh (affirmative).

18 Q. (By Mr. Hoole) After they do their accounting with the  
19 paychecks?

10:17:56

20 A. Yes.

21 THE COURT: How did you pay your -- how did you  
22 survive? How did you eat? Where did you live?

23 THE WITNESS: Um, well I generally lived in a --  
24 well, when I was out on the crews we lived in a company  
10:18:09 25 house and they provided food.

1 THE COURT: So you were supplied your basics.

2 THE WITNESS: Yes.

3 THE COURT: Shelter?

4 THE WITNESS: Uh-huh (affirmative).

10:18:16 5 THE COURT: Clothing?

6 THE WITNESS: That one I had to work for but --

7 MR. HOOLE: You didn't go to the store and buy  
8 yourself?

9 THE WITNESS: No, no that was most -- most  
10:18:30 10 everything because I was, you know, dad's kid, a lot of it  
11 came from the storehouse.

12 Q. (By Mr. Hoole) So the women would wear dresses,  
13 correct, long dresses?

14 A. Yes.

10:18:40 15 Q. What would the men typically wear?

16 A. The men typically wore homemade jeans and homemade  
17 shirts, long sleeved.

18 Q. And to your knowledge were those items prepared by the  
19 women?

10:18:50 20 A. Yes.

21 Q. They would make them themselves?

22 A. Yes, they did.

23 Q. Okay.

24 THE COURT: You had no disposable income?

10:18:57 25 THE WITNESS: No.

1 THE COURT: No cash in your pocket?

2 THE WITNESS: Nope, I didn't.

3 THE COURT: Okay.

4 THE WITNESS: I think the most I ever had was \$20

10:19:07 5 in my pocket at a time and I wasn't allowed to spend that  
6 unless I asked dad.

7 Q. (By Mr. Hoole) At some point did your father ask you  
8 to run up a credit card debt?

9 A. Yes.

10:19:20 10 Q. What was that for, if you know?

11 A. We were told that the destructions were going happen  
12 soon and to help take care of Warren's legal fees to go out  
13 and get signature loans, you know, get cash back whatever on  
14 credit cards, run up credit card debt and signature loans  
10:19:45 15 and turn it into the storehouse for money.

16 Q. Okay. And did you take out debt?

17 A. Yes, I did.

18 Q. How much debt did you take out?

19 A. Up to \$60,000.

10:19:53 20 Q. And did that all go back to Warren Jeffs?

21 A. Yes, it did.

22 Q. Okay. And was that before you left or after you left?

23 A. That was before I left.

24 Q. How long after that did you actually leave?

10:20:06 25 A. I left about a year after that.



1 Q. Okay. In the meantime, you continued to work and  
2 provide labor and services for Warren Jeffs?

3 A. Yes.

4 Q. And he benefitted from your labor?

10:20:18 5 A. Yes.

6 Q. Did you have a chance -- did you have a choice in not  
7 working?

8 A. No, I didn't.

9 Q. Were you concerned that you would suffer some kind of  
10:20:28 10 harm if you did not work?

11 A. Well, it was not really harm but, you know, having  
12 everything that I ever worked for taken from me, yes.

13 Q. What do you mean by that? What did you ever work for  
14 because you weren't able to keep anything?

10:20:51 15 A. Well, I mean I had a few -- a few material things that  
16 I had, but also being able to be around the family.

17 THE COURT: What material things did you have?

18 THE WITNESS: I mean I -- I had a bed and a  
19 dresser.

10:21:11 20 THE COURT: What about a vehicle?

21 THE WITNESS: I did have a truck that I had  
22 gotten in my name and that was taken from me when I left and  
23 everything else.

24 THE COURT: Mr. Hoole has indicated that you  
10:21:27 25 believe that your labor for which you were not compensated

1 benefitted Warren Jeffs.

2 THE WITNESS: Yes, it did.

3 THE COURT: How did it benefit Warren Jeffs?

4 THE WITNESS: Well, it benefitted him and his

10:21:38 5 family. None of his family had to work really for anything

6 and it built up the Texas ranch which was his.

7 Q. (By Mr. Hoole) And was that part of his scheme or plan  
8 of accumulating wealth and assets, resources, by having the  
9 FLDS people work?

10:22:07 10 A. Yes.

11 Q. And were both men and women required to work?

12 A. Yes.

13 Q. What about children?

14 A. Absolutely children were.

10:22:15 15 Q. Okay. Would you have done any of this free work if you  
16 had not believed that he was the prophet?

17 A. No.

18 Q. Did he hold himself out as the prophet?

19 A. Yes, he did.

10:22:31 20 Q. Did you ever learn that he had acknowledged that he was  
21 not the prophet while you were in the group?

22 A. No.

23 Q. Did you -- strike that. Was it your belief that he was  
24 that caused you to work without pay?

10:22:57 25 A. Can you repeat that?

1 Q. Was it your belief in him that caused you to work  
2 without pay?

3 A. Yes.

4 Q. And those beliefs were false?

10:23:07 5 A. Yes.

6 Q. And then you suffered injury as a result?

7 A. Yes.

8 Q. Okay. Let's talk just a little bit about working.

9 Were you ever restrained -- you mentioned that you lived in  
10:23:34 10 a home with a work crew?

11 A. Yes.

12 Q. Is that right?

13 A. Yes.

14 Q. Could you leave any time?

10:23:44 15 A. No, not without -- no, you had to leave with someone so  
16 that we were all watching each other.

17 Q. Um, how many men or boys would be in this -- in a  
18 typical home?

19 A. Um, 15 to 30 at a time.

10:24:06 20 Q. Okay. And what states did you work in besides Texas,  
21 and Colorado City, Arizona. What other states?

22 A. I worked in Oregon, in Washington state, um, Oklahoma,  
23 Kansas, Nevada, California, Arizona, Montana.

24 Q. During any of these work assignments did you have any  
10:24:43 25 control over your earnings?

1 A. No.

2 Q. And even though you didn't recognize fraud while you  
3 were in the group, you now recognize it -- excuse me.

4 Strike that. Even though you didn't recognize that you were  
10:24:57 5 fearful when you were in the group, do you now recognize  
6 that you lived in fear?

7 A. Absolutely. And we -- we lived in fear. That's the  
8 way everybody lives in the church is he controls the people  
9 through fear.

10:25:18 10 Q. If you had had knowledge while you were in the FLDS  
11 that Warren Jeffs had admitted that he was a fraud, would  
12 you have taken any kind of action?

13 A. I would have left immediately.

14 Q. Did that information ever get to you?

10:26:13 15 A. It never did.

16 Q. So the context was that you believed fully in what he  
17 was saying and doing and holding himself out as a prophet?

18 A. Absolutely.

19 Q. As did everybody else?

10:26:25 20 A. Uh-huh (affirmative).

21 Q. And I suppose for those of us who weren't born and  
22 raised in it, it is hard to decide, you know, it is hard to  
23 judge?

24 A. It is.

10:26:36 25 Q. Because if we were born and raised in it, we would

1 probably be in the same boat?

2 A. I would agree. I mean it is all we knew.

3 Q. Okay. Your Honor, I would submit Thomas's damages  
4 through Exhibit A. And Thomas, if there were -- why are you  
10:27:00 5 testifying today, what is this all about?

6 A. Um, this is mostly just to help maybe bring some light  
7 to the people that are still there. Um, if you knew Warren  
8 had actually has been doing and what the lies that you were  
9 being led to believe, you knew what I knew, you would run as  
10:27:27 10 fast as you could away from it.

11 Q. Problem is, they don't get the information.

12 A. They don't get the information.

13 Q. But nevertheless, are you hopeful that they'll hear  
14 something about this and maybe check it out?

10:27:39 15 A. If we can help a few people then that's what I'm here  
16 to do.

17 Q. Okay.

18 MR. HOOLE: Unless the court has questions.

19 THE COURT: Lyle Jeffs is your father?

10:27:48 20 THE WITNESS: Yes.

21 THE COURT: What is he doing now?

22 THE WITNESS: I honestly have no idea.

23 THE COURT: You have no association?

24 THE WITNESS: I have no association with him. I  
10:27:56 25 haven't talked to him since the day I left in October

1 of 2013.

2 THE COURT: 2013.

3 THE WITNESS: Uh-huh (affirmative).

4 THE COURT: Okay.

10:28:01 5 MR. HOOLE: I could answer that, Your Honor, but  
6 maybe --

7 THE COURT: Yeah, go ahead.

8 MR. HOOLE: You want me to? Well, Warren Jeffs  
9 is still in prison, and Lyle Jeffs is out of prison but on  
10:28:16 10 parole.

11 THE COURT: Supervised release.

12 MR. HOOLE: Yes. And Warren Jeffs seems to have  
13 or at least the perception is that he has turned control of  
14 the church over to his son Helaman Jeffs who has been  
10:28:32 15 contacting people considered still faithful and rounding  
16 them up and getting them ready to turn in their -- well to  
17 bring the girls and children back.

18 And so the challenge right now is getting these  
19 children for the parents who are out who can protect them.  
10:28:55 20 Because the folks that are in, don't recognize that the  
21 prophet can do wrong and therefore they're not equipped to  
22 protect their children.

23 THE COURT: Where he is trying to gather them?

24 MR. HOOLE: We believe that he is trying to  
10:29:09 25 gather them to the Dakotas, particularly North Dakota, and

1 Nebraska.

2 THE COURT: Okay.

3 MR. HOOLE: That's the -- that's the word. It's  
4 hard to know.

10:29:20 5 THE COURT: That has nothing to do with this  
6 trial?

7 MR. HOOLE: It has nothing to do with this trial  
8 other than we hope this trial may send a message that the  
9 people who are still followers can at least invite them to  
10:29:34 10 look a little bit more deeply so that they can make their  
11 own religious decisions. That's all.

12 THE COURT: Okay.

13 MR. HOOLE: Okay. Thank you, Thomas.

14 THE COURT: Thank you, Mr. Jeffs. You may step  
10:29:45 15 down. Why don't we take a break.

16 MR. HOOLE: Okay.

17 THE COURT: About 10 minutes.

18 MR. HOOLE: Yeah.

19 THE COURT: All right. Thank you.

10:44:01 20 (Recess.)

21 THE COURT: Mr. Hoole, if I was not helpful to  
22 you in suggesting that each of the witnesses be allowed to  
23 be prepared to testify as to amounts that might be  
24 represented elsewhere in what you filed and proffered, I  
10:44:33 25 wish that you would do that. If you can prepare each

1 witness to testify as to specific damages in addition to  
2 that which you have proffered I would appreciate it.

3 MR. HOOLE: Okay.

4 THE COURT: Okay.

10:44:48 5 MR. HOOLE: Could we perhaps recall Alicia  
6 Rohbock for that purpose?

7 THE COURT: Certainly.

8 (Whereupon, Alicia Rohbock recalled  
9 as a witness.)

10:45:15 10 THE COURT: Ms. Rohbock, I remember that you're  
11 still under oath.

12 THE WITNESS: Yes.

13 **CONTINUED DIRECT EXAMINATION**

14 BY MR. HOOLE:

10:45:20 15 Q. Alicia, there was some discussion when you testified  
16 earlier about some \$40,000 in medical bills. Have you been  
17 able to verify that your medical bills were at least that  
18 amount?

19 A. Um, in my experience much, much more because I had been  
10:45:36 20 in medical facilities from the time I was in the religion  
21 clear to this point today.

22 Q. And you are wearing a neck brace. Is that related to  
23 the --

24 A. The pinched nerves and the trigeminal neuralgia I'm  
10:45:53 25 dealing with right. Last week I was on I.V.s twice and I



1 was also in the ER all day Tuesday.

2 Q. And is it your understanding that your diagnosis is  
3 stress related?

4 A. Yes.

10:46:03 5 Q. How do you have that understanding?

6 A. Um, because I -- again, when I testified earlier, AS is  
7 in the blood marker from your parents but it is only  
8 activated under extremely high stress circumstances.

9 Q. Is that something you concluded from speaking with your  
10:46:22 10 physicians?

11 A. Yes.

12 Q. Are you under any kind of medication right now?

13 A. Many. Many medications.

14 Q. What is the cost per month of your current medications?

10:46:33 15 A. Oh, um, Medicaid helps cover some of that so in the  
16 thousands. But for the Enbrel that I am on for the AS, it's  
17 \$7,000 a month.

18 Q. Um, the AS, is that the working diagnosis they have for  
19 you?

10:46:48 20 A. The ankylosing spondylitis which is pinching the nerves  
21 in my neck and in my face.

22 Q. And do you have an understanding of whether or not that  
23 is a progressive illness?

24 A. It becomes worse as you age.

10:47:02 25 Q. Okay.

1 A. It is a disease of the spine so it affects every part  
2 of the body.

3 Q. Okay. So at this point in time do you have a  
4 conservative estimate of what you believe your medical bills  
10:47:15 5 have been?

6 A. I do not. I mean all I know is that I have been  
7 hospitalized up at clinics constantly for the last several  
8 years.

9 Q. Okay. Do you know whether they're more or less than  
10:47:27 10 \$100,000?

11 A. I would imagine much more.

12 MR. HOOLE: Okay. That's all I have got, Your  
13 Honor.

14 THE COURT: Okay.

10:47:35 15 MR. HOOLE: Maybe I could call Briell Decker  
16 really quick.

17 THE COURT: All right.

18 MR. HOOLE: And may this witness be excused? She  
19 wants to go rest.

10:47:44 20 THE COURT: Yes.

21 (Whereupon, Briell Decker recalled as a witness.)

22 THE COURT: Go ahead, Mr. Hoole.

23 **CONTINUED DIRECT EXAMINATION**

24 BY MR. HOOLE:

10:48:11 25 Q. Briell, you're still under oath.

1 A. Right.

2 Q. Let me just ask whether you have had an opportunity to  
3 review those common allegations that you were provided?

4 A. Yes. I did read them but fast.

10:48:27 5 Q. Are they accurate?

6 A. Yes.

7 MR. HOOLE: I think that's all we need on that.

8 THE COURT: That is all I need to hear. Thank  
9 you, Ms. Decker. Do you wish to have her excused as well?

10:48:39 10 MR. HOOLE: Yes, but I think she might want to  
11 stay.

12 THE COURT: You're welcome to stay but you're  
13 also free to go if you want to, all right?

14 MS. DECKER: Thank you.

10:48:47 15 MR. HOOLE: We call Sarah Allred.

16 THE CLERK: Raise your right hand.

17 **SARAH ALLRED,**

18 called as a witness at the request of the Plaintiffs,

19 having been first duly sworn, was examined

10:49:22 20 and testified as follows:

21 THE WITNESS: Yes.

22 THE CLERK: Thank you. And would you state and  
23 spell your name please.

24 THE WITNESS: Sarah, S-A-R-A-H, Allred,

10:49:33 25 A-L-L-R-E-D.

1 THE CLERK: Thank you.

2 **DIRECT EXAMINATION**

3 BY MR. HOOLE:

4 Q. Good morning, Sarah.

10:49:37 5 A. Good morning.

6 Q. Were you born and raised in the FLDS?

7 A. I was.

8 Q. Okay. Do you remember a time when Warren Jeffs took  
9 over the church for his father?

10:49:55 10 A. Definitely.

11 Q. When approximately was that?

12 A. 2003, 2002. When he officially took over.

13 Q. And prior to that time had he become the mouthpiece of  
14 the prophet?

10:50:12 15 A. Yes, he had been for years.

16 Q. Had he held himself out as the mouthpiece of the  
17 prophet?

18 A. Yes.

19 Q. And after Rulon Jeffs' death, did he hold himself out  
10:50:26 20 as the prophet of the FLDS people?

21 A. Yes, he did.

22 Q. Do you remember him saying that being -- calling  
23 himself the prophet and referring to himself that way?

24 A. Yes.

10:50:35 25 Q. Did others --

1 A. Immediately after Jeffs died then -- then Warren  
2 stepped forward to the people who were with him and told him  
3 that he was the -- he said father has spoken that I am a  
4 prophet now.

10:50:59 5 THE COURT: Ms. Allred, would you pull that  
6 microphone closer to you, please.

7 Q. (By Mr. Hoole) That will aid my hearing aids. Thank  
8 you. And did other people refer to him as the prophet?

9 A. Yes.

10:51:14 10 Q. Um, was he regarded as the prophet throughout the  
11 community?

12 A. Yes. I know that there was a lot of conflict about it  
13 but ultimately if you didn't acknowledge him as the prophet  
14 then you were an apostate.

10:51:28 15 THE COURT: Was he the oldest son of Rulon Jeffs?

16 THE WITNESS: No.

17 THE COURT: Who was the oldest son.

18 THE WITNESS: I don't actually remember.

19 MR. HOOLE: Might depend on the wife. Well it  
10:51:42 20 wouldn't depend on the wife if it's the oldest son of Rulon  
21 Jeffs. I'm sure somebody would know that but I don't, Your  
22 Honor.

23 THE COURT: It's not really relevant. I'm  
24 just --

10:51:51 25 THE WITNESS: He was actually one of the younger

1 ones.

2 Q. (By Mr. Hoole) He was the favored son, was he not?

3 A. Yes, definitely.

4 Q. Okay.

10:51:59 5 THE COURT: How was that reflected that he was  
6 the favored son?

7 THE WITNESS: Um, Rulon always said Warren will  
8 speak for me and he always referred to him publicly in front  
9 of the community for years before he passed away.

10:52:18 10 THE COURT: Who was the prophet before Rulon  
11 Jeffs?

12 THE WITNESS: Um, LeRoy S. Johnson.

13 Q. (By Mr. Hoole) Are you aware that Rulon Jeffs made  
14 Warren Jeffs the principal of Alta Academy?

10:52:38 15 A. Yes, I went to school at Alta Academy.

16 Q. And was that an indication of favoritism for Warren?

17 A. Um, yes. And he also constantly would come over the  
18 radio at the school and say that his son Warren was doing  
19 his will and that he was a good man.

10:53:10 20 Q. And as the principal of Alta Academy, was Warren placed  
21 in a position where he could help formulate the minds of the  
22 young people of the church?

23 A. Definitely.

24 Q. Alta Academy was actually located in Sandy, was it not?

10:53:25 25 A. Correct.

1 Q. Just at the base of Little Cottonwood Canyon?

2 A. Yes.

3 Q. And did you move down to the community in Short Creek  
4 in 2001 with everybody else?

10:53:37 5 A. I actually moved down in 1998 because that is when I  
6 got married.

7 Q. Okay. Let's focus on your marriage. Was it an  
8 arranged marriage?

9 A. Yes.

10:53:50 10 Q. What does that mean?

11 A. That means that the prophet chooses who you marry.

12 Q. Do men have the ability within the FLDS to go to the  
13 prophet and say hey I would like another wife?

14 A. I am not -- I don't know.

10:54:09 15 Q. I'll ask a man that then.

16 A. Yeah.

17 Q. Okay. As a woman in the FLDS, what input do you have  
18 in terms of who you marry?

19 A. None.

10:54:21 20 Q. Did you know your husband before you were married?

21 A. No.

22 Q. How much notice did you have from the time you were  
23 told you would marry him until the time you actually did?

24 A. I met him three hours after I knew he existed.

10:54:38 25 Q. So you married him three hours later?

1 A. Yeah. After -- I met him three hours after I found out  
2 that is who I was going to marry.

3 Q. Oh, I see. And then how quickly did you marry him?

4 A. Um, about an hour after I met him.

10:54:55 5 THE COURT: How old were you?

6 THE WITNESS: 18.

7 Q. (By Mr. Hoole) Um, did you have children with him?

8 A. I did.

9 Q. How many?

10:55:06 10 A. Six.

11 Q. Now, are any of them here today?

12 A. No.

13 Q. Okay. I was hoping they might be able to come. So  
14 let's talk about your situation. Did you believe Warren  
10:55:21 15 Jeffs was the prophet?

16 A. Yes. Because, um, that's what we were told.

17 Q. That's what he told you?

18 A. That's what he told us.

19 Q. Is that what he told the whole community?

10:55:32 20 A. Yes. He told the whole community but he, like I said  
21 before, he was very verbal about it immediately after Warren  
22 -- I mean after Rulon passed away.

23 Q. And have you heard the phrase the prophet can do no  
24 wrong?

10:55:47 25 A. God and the prophet always and only do right.



1 Q. So I'm paraphrasing a little bit. What does that mean  
2 as you understand it?

3 A. It means that they can do no wrong, that God would  
4 never lead the prophet astray.

10:56:06 5 Q. Did that enable him to have a certain degree of control  
6 over your life?

7 A. 100 percent.

8 Q. What aspects of your life did he control? I guess  
9 100 percent is 100 percent but --

10:56:17 10 A. Um, long before Rulon passed away then soon after I was  
11 married then my husband was the bodyguard to the prophet.  
12 And so we were really close to the family and witnessed a  
13 lot of things that they were doing from the outside in like  
14 we were -- I wasn't as involved just more I was the fly on  
10:56:49 15 the wall, so to speak.

16 Q. Were you ever -- in the sense that he had 100 percent  
17 control over your life, did you do whatever he commanded you  
18 to do?

19 A. Yes. I -- I tried really hard to be perfectly obedient  
10:57:15 20 because that was the only way that I could have my salvation  
21 and also eventually when I started having children and it  
22 was the only way I could keep my family.

23 Q. So the prophet wanted you to get married?

24 A. Yes.

10:57:34 25 Q. Told you who to marry?

1 A. Yes.

2 Q. And were you told you needed to have children?

3 A. Yes.

4 Q. And did you have children?

10:57:41 5 A. Yes.

6 Q. Okay. All of that because you were trying to be  
7 faithful?

8 A. Yes.

9 Q. Okay. When you were in the group, did you ever learn  
10:57:56 10 that maybe he wasn't the prophet?

11 A. No.

12 Q. Did you ever allow yourself to think that maybe he  
13 wasn't the prophet?

14 A. I --

10:58:09 15 Q. You're under oath.

16 A. I did. Um, there was a time -- there was a time where  
17 I -- I really struggled because it just didn't feel right  
18 but I didn't know if it was -- I didn't feel like the  
19 feelings were righteous. I felt like I just needed to get  
10:58:31 20 over it.

21 Q. Had you been taught to discard any kind of negative  
22 feeling toward the prophet?

23 A. Definitely.

24 Q. Who had taught you that?

10:58:40 25 A. He did. After Rulon Jeffs had his stroke, then I

1       witnessed for years Warren being in full control of the  
2       narrative, so to speak, where he led the people way longer  
3       than they realized because Rulon couldn't even communicate  
4       normal, like he couldn't verbally communicate. Rulon did  
10:59:21 5       pretty much everything, but Warren did pretty much  
6       everything for Rulon except for kiss his wives good night to  
7       my observation.

8       Q.    And did Rulon's wives eventually become Warren's wives?

9       A.    Yes, a lot of them did.

10:59:38 10      Q.    Okay. Were you ever made aware that he had confessed  
11       that he was not the prophet?

12      A.    No. Not until I was out for a while.

13      Q.    If you had known that he had confessed that and said I  
14       haven't held priesthood since I was 20, what would that have  
11:00:03 15       done to you at the time?

16      A.    It would have made me leave a lot sooner than I did and  
17       it would have crushed me because I would have realized that  
18       everything that I had gone through, everything that I had  
19       suffered, everything that he had put me through was all a  
11:00:26 20       lie for a lie.

21      Q.    And was what you went through a lie?

22      A.    Yes. Well, the reasoning for what I went through it  
23       was a lie.

24      Q.    And did you rely on that lie? In other words, did you  
11:00:45 25       do things because you believed the lie?

1 A. Definitely.

2 Q. And we talked about some of that children marriage,  
3 working. Did you work for the -- for the prophet as well,  
4 provide labor?

11:01:00 5 A. Yes. Yes. I think I held my first \$50 bill when I was  
6 about 28 and that was the only -- it was just once that I  
7 ever had that much money or pretty much any money.

8 Q. As a mother of children, did you ever lose control of  
9 your children? Did you ever lose your children, I should  
11:01:33 10 say?

11 A. When I became a parent then I knew that my job was to  
12 protect them and to take care of them. I had had -- I was  
13 on my third pregnancy when I realized that I couldn't  
14 protect them or I would lose them altogether.

11:02:07 15 Q. What do you mean by that? How would you lose them  
16 altogether if you couldn't protect them?

17 A. Um, one time I questioned what Warren was having my  
18 husband do and he threatened -- my husband told me that if I  
19 was to ever utter a word against anything that he or the  
11:02:40 20 prophet did then I would never see my children again.

21 Q. Okay. And did the prophet ever say that same kind of  
22 thing to you?

23 A. Yes. A couple of years later then he -- he said that  
24 for -- and it was before he actually did take the children  
11:03:05 25 away from me, um, about six months before that then he told

1 me that for me to ever stand between what he and God did  
2 with my children would not only bring damnation to my soul  
3 but to theirs as well.

4 Q. Did you have any particular worry with respect to your  
11:03:33 5 oldest daughter?

6 A. Um, Warren groomed, was what I would say especially  
7 now, groomed my oldest daughter who was, when I came to  
8 realize what was happening she was seven at the time. And  
9 when she was 11, then he would send her special messages  
11:03:58 10 from prison how to conduct herself and prepare herself for  
11 marriage and to be placed by a man of God and he referred to  
12 himself being the person that she belonged to.

13 When I became aware of that, then I wrote him --  
14 he was in prison at the time and I realized one time then I  
11:04:38 15 witnessed something that I was not supposed to see and it  
16 was young girls who were -- who I knew to be around 11 and  
17 12 were being trafficked for him under the care of some of  
18 his trusted wives to groom them to save them for Warren.  
19 And that's when I realized, because I felt like my daughter  
11:05:13 20 was safe because he was in prison, that's when I realized  
21 that she wasn't safe.

22 I, um, further learned that he had taken a  
23 12-year old daughter just in the middle of the night, her  
24 parents didn't know where she was or anything except for  
11:05:36 25 that they were honored to have her go to Zion. But the

1 truth was that he had somebody get this daughter and take  
2 her and put her under the care of one of his trusted wives  
3 in order to prepare and groom her for him.

4 Q. You're afraid this might happen to your oldest  
11:06:03 5 seven-year old?

6 A. She was -- she was 11 at the time that this took place  
7 and I knew that she wasn't safe. And so I wrote a letter to  
8 Warren Jeffs telling him that I wasn't okay with my daughter  
9 marrying him ever or especially getting married until she  
11:06:32 10 was of age to make up her own decision. Shortly after that,  
11 then I was charted again and eventually my children were  
12 taken away from me again and hidden from me.

13 Q. Had that happened previously? Had some of your  
14 children been taken way from you and hidden from you?

11:06:57 15 A. I spent more time without my children than I did with  
16 my children.

17 Q. Writing the letter to Warren Jeffs to protect your  
18 daughter seems to be a pretty remarkable thing to do. That  
19 is a dangerous thing, is it not?

11:07:16 20 A. Yes. But when it comes to a mother protecting her  
21 child, you don't care about your own life. You don't care  
22 about what will happen to you as long as you can protect  
23 your child.

24 Q. So in this context you need to protect her, at one  
11:07:38 25 level you understand that, but in another level are you

1 still believing sincerely that he is the prophet?

2 A. Yes. I didn't know if God was going to strike me dead  
3 or not but it was worth the risk.

11:07:59

4 Q. So you said for a period of time the children were away  
5 from you more than they were with you. How many years?

6 A. Um, my children were used to control me.

7 Q. What do you mean by that?

11:08:23

8 A. Um, if I didn't conform or do exactly what I was told  
9 and sometimes even when I thought I was, then my children  
10 would be taken away and I wouldn't see them for years at a  
11 time.

12 Q. And that was leverage to control you?

11:08:41

13 A. Leverage to control me and I was always kind of a  
14 stubborn independent person, and I had a hard time not  
15 thinking for myself. And that was the way to conform me to  
16 their will.

17 Q. So in the FLDS, if the prophet controls the children he  
18 controls the parents, doesn't he?

19 A. Correct.

11:09:01

20 Q. And in the FLDS, the prophet is the priesthood,  
21 correct?

22 A. Right.

23 Q. And the children belong to the prophet?

11:09:16

24 A. Yes. And -- and not even -- I know a lot of people say  
25 they belong to God and priesthood but or the prophet, but

1 they don't even belong to priesthood because priesthood can  
2 lose the children just as much as anybody.

3 Q. And were you ever placed in the dilemma where you had  
4 to decide I'll give up this child to protect the others?

11:09:40 5 Did that ever happen to you?

6 A. Many times I was -- my oldest daughter often was like  
7 even when I was able to see my children, Warren would send  
8 word to Richard to not let her be under my care.

9 Q. Was there -- speaking of Richard, your husband, is he,  
11:10:25 10 to your knowledge, still a faithful follower of Warren Jeff?

11 A. My ex-husband?

12 Q. Your ex-husband?

13 A. As far as I know. I haven't heard or seen him since I  
14 left.

11:10:37 15 Q. Is he off doing work for the prophet to your knowledge?

16 A. To my knowledge.

17 Q. How long has that been?

18 A. Since I saw him or since --

19 Q. Since he left to do work for the prophet and left the  
11:10:56 20 family?

21 A. I don't know. Um, I know that since I left was in 2012  
22 then I haven't seen or heard from him.

23 Q. Now you say you left, how did you leave?

24 A. Well, I was actually excommunicated because of that  
11:11:16 25 letter that I wrote to Warren about my daughter.



1 Q. When you say excommunicated what did that mean for you?

2 A. Damned to hell.

3 Q. Were you sent away?

4 A. Yes.

11:11:29 5 Q. Were you sent away forever?

6 A. I was sent away forever. But I didn't believe it  
7 because I knew I had never done anything that would damn me  
8 to hell, as they put it.

9 Q. The only thing you had done is try to protect your  
11:11:48 10 oldest daughter?

11 A. But I had tried to protect all my children but in that  
12 scenario it was protecting my oldest daughter.

13 Q. So when they sent you away forever, you thought you  
14 might be able to come back; is that right?

11:12:01 15 A. I knew in my heart that I would see my children again.

16 Q. Okay. Where did you go when they sent you away  
17 forever?

18 A. Um, I was instructed when they read me the revelation.

19 Q. Now, this is a revelation from Warren Jeffs?

11:12:21 20 A. From Warren Jeffs.

21 Q. Okay. What did -- tell us about that?

22 A. When they read me the revelation, they told me that I  
23 was guilty of child murder and that I was to go far away  
24 forever. And they instructed in this revelation it

11:12:44 25 instructed me to not go to any of the states that the Lord

1 was doing his work, and to not go past the Mississippi  
2 border. And so I just drove and ended up in Nebraska.

3 Q. Did you know anybody in Nebraska?

4 A. No. But I was also instructed to not associate with  
11:13:15 5 anyone, apostate or not apostate. So basically you're just  
6 in solitary confinement without being caged.

7 Q. So before you were sent away, there had been multiple  
8 times when your children were taken from you. Is that  
9 correct?

11:13:40 10 A. Correct.

11 Q. Physically taken from you?

12 A. Physically taken from me. Them screaming and crying  
13 and ripped away from me.

14 Q. How did that make you feel?

11:13:51 15 A. I don't think there is any words for how that felt. It  
16 felt like my heart was being ripped out of my chest and I  
17 couldn't do anything about it.

18 Q. Was there anything you could do other than try to show  
19 more obedience, more faithfulness, in an effort to win them  
11:14:19 20 back?

21 A. Not as far as I knew. Um, the only thing -- like I --  
22 it was impossible. It was just impossible to be what they  
23 wanted me to be and I don't think they really ever intended  
24 me to be a mother to my children.

11:14:45 25 Q. Who actually sent you away?

1 A. Warren Jeffs.

2 Q. Who spoke for him?

3 A. Different times it was different people. Sometimes it  
4 was his brothers, sometimes it was my husband.

11:15:03 5 Q. Okay. When you were sent and you went to Nebraska, who  
6 voiced that revelation to you?

7 A. Isaac Jeffs.

8 Q. Okay. One of the brothers?

9 A. Yes.

11:15:14 10 Q. Okay. And you drove to Nebraska?

11 A. Yes.

12 Q. What were you thinking? What you were feeling?

13 A. I don't know how to explain it. I was in shock. I was  
14 determined to do whatever I needed to do to get my children  
11:15:57 15 back and I knew that I needed to find out what that was and  
16 I would do whatever it took.

17 Q. At that point in time did you still sincerely believe  
18 Warren Jeffs was the prophet?

19 A. A hundred percent. And I didn't just have, what you  
11:16:21 20 would say, a blind belief. There were circumstances and  
21 things that happened to me to convict me.

22 For instance, one time then Rulon -- I mean,  
23 sorry, Warren sent a message to my husband that I was to not  
24 have anything to do with my former family or his former  
11:16:52 25 family and that I was to annihilate them from my life. And

1 I really struggled with that.

2 And then a little bit later, and I had my own  
3 private feelings about it, I did not voice them to anyone.

4 And a few days later, then Richard got another revelation

11:17:24 5 and I could hear, I was sitting by him and I could hear

6 Warren's voice over the phone say that the Lord is

7 displeased because I am having hard feelings towards the

8 prophet and Richard for this reason. And I just thought to

9 myself I didn't tell anybody that. There is no way that he

11:17:54 10 can know that except for that he must be the man that talks

11 to God.

12 Q. Was there a time that you lived in a house of hiding in  
13 Colorado?

14 A. There was a time that I lived in a house of hiding many  
11:18:12 15 places and Colorado was one of them.

16 Q. Okay. Did you -- were you involved in an ATV accident  
17 at one point?

18 A. Um, I was. I was -- I was on an ATV, that was the only  
19 vehicle that we had on the property, and it flipped over on

11:18:42 20 top of me and I was life-flighted to the nearest trauma

21 center. I was in a coma for a couple of weeks, at least,

22 and when I came out of the coma, then I didn't remember

23 anything except for I knew I was a mother and I knew my

24 children's names, and I knew my husband and that was all I

11:19:17 25 could remember or I had to relearn how to do everything,

1 walk, and communicate. They told my family that I would  
2 most likely never walk again and that I would never be able  
3 to communicate normally again, that I would pretty much most  
4 likely be a vegetable when I woke up if I did wake up.

11:19:48 5 But I knew in my heart that I had to fight for my  
6 children and that's what ultimately helped me walk again.  
7 Helped me -- drove me to become everything that I could  
8 become again.

9 Q. Okay. So were you able to get all of the medical care  
11:20:17 10 you needed?

11 A. They took me out of the hospital against medical advice  
12 as soon as I could walk with a walker, I couldn't even walk  
13 on my own yet. But as soon as I could walk out of the  
14 hospital, then they took me out and then I was corrected,  
11:20:46 15 meaning punished for not having enough faith to be healed  
16 without medical assistance, without doctors.

17 Q. Did you receive any more medical care?

18 A. No.

19 Q. Were you prevented from receiving medical care by  
11:21:07 20 anybody?

21 A. Yes. I would go to my husband and ask him if I could  
22 keep going and he said that Warren Jeffs told him that if I  
23 was pure enough, then I would be healed on my own by -- with  
24 my faith. And so I wasn't allowed to get the care I needed.

11:21:37 25 Q. Among the many injuries you suffered, did you also

1 suffer a brain injury?

2 A. Yes.

3 Q. And does that still affect you?

4 A. In a lot of ways it does, but I do pretty good at

11:21:55 5 everything. I had a stroke because of it. Um, I get a lot

6 of headaches, there is a lot of scar tissue where my injury

7 was. I have memory loss, I am short term memory loss

8 mostly. For instance, I forget like what happened like that

9 day or a couple of days before but I can, if I worked, like

11:22:40 10 if I work hard then I have been able to remember a lot of

11 what has happened to me in the past but it's hard for me to

12 remember day-to-day things. Like I'll call my daughter and

13 she'll say mom, you barely called me five minutes ago and I

14 have no recollection of that and that's kind of typical.

11:23:07 15 Q. So let me ask you this, when you're in Nebraska, sent

16 away forever but hoping to be called back if you're faithful

17 enough, what -- how did you process things on top of this

18 brain injury? What happened over the next couple of years

19 in Nebraska?

11:23:29 20 A. I lived in my own hell. I don't know how to explain

21 it. I still believed that I had to have the faith to be

22 healed in order for me to be able to return to my children.

23 I didn't -- at that point I didn't care about going back to

24 the religion, I just wanted to be with my children and I

11:24:03 25 worked hard to process and remember everything because I

1 didn't know why I was there, I didn't understand what I had  
2 done. And it took me about two years, plus a little, in  
3 order to process my life, reprocess it, in order for me to  
4 get to the point to where I could have the strength and the  
11:24:39 5 willpower to go and find my children and get them back.

6 Q. How did you, after going through this process and  
7 deciding that you needed to go find your children and get  
8 them back, how did you do that and where were your children?  
9 Were they with their father?

11:24:58 10 A. I didn't know, um, but I inquired around some of the  
11 people who had left after me and I found out that my  
12 children were not in fact with their father, that they were  
13 with my former sister wives who I knew if that was the case  
14 then they were not safe and I knew that they weren't being  
11:25:33 15 treated right and that it helped drive me to find them and  
16 get them out. But at that point I didn't know any truths of  
17 Warren Jeffs or --

18 Q. This was the process you were going through for a  
19 little over two years trying to understand what had happened  
11:25:56 20 and what you needed to do?

21 A. Right. But ultimately, um, I didn't find out. I had  
22 called every single day for two years and three months  
23 trying to get information about my children. And after I  
24 started calling, after about two years, then they acted like  
11:26:26 25 I didn't even exist. They're like I don't know who you are

1 and you're not in our -- so basically you're blotted out.  
2 So whoever you are, then you're not anything to us and  
3 that's when I realized that they were never intended to let  
4 me return.

11:26:46 5 Q. Is that when you realized that you were actually sent  
6 away forever?

7 A. That's when I accepted it.

8 Q. What did you do next?

9 A. I called this nice lawyer man that helped me.

11:27:05 10 Q. Were you able to get your children?

11 A. Um, it was hard to -- we didn't know where they were at  
12 because for their whole lives they had bounced around from  
13 compound to compound and house of hiding. You know what I  
14 knew how secretive the FLDS were so I knew it would be hard  
11:27:33 15 but I finally, with the help of law enforcement, I had the  
16 Washington County and actually the FBI helped me, um, and we  
17 sent a threatening letter to the bishop's office that said  
18 if I do not have my children within the hour, then I was  
19 going to bring in law enforcement to raid the community  
11:28:16 20 until I found my children. And that ultimately scared them  
21 and they brought my children to me.

22 Q. Who was the bishop?

23 A. Lyle.

24 Q. And you say "they" brought them to you?

11:28:33 25 A. I think --



1 Q. Where did they bring them?

2 A. I actually didn't know who the bishop was at the time.

3 All I knew is where the place was that --

4 Q. Okay.

11:28:45 5 A. -- that they work out of, the bishop's office.

6 Q. But you sent this letter and then --

7 A. I dropped it off to the actual front door.

8 Q. Okay. And then were you able to, with the assistance  
9 of law enforcement, force them to bring your children to

11:29:05 10 you?

11 A. Yes. We -- first, in order for the FBI and the  
12 Washington County to help me, then I had to go to the -- I  
13 had to go to the police station, the town police station and  
14 get their help first and they did not, they would not help  
11:29:36 15 me and it was really frustrating. They wouldn't help me  
16 until the sheriff -- deputy sheriff somebody.

17 Q. Deputy Sheriff Thompson?

18 A. Yeah, came and basically stood over them and said, "I'm  
19 going to watch you do your job and you get this woman's  
11:30:06 20 children back to her." And within 15 minutes then I had my  
21 children after waiting for a full day of trying to get  
22 information.

23 Q. When the children arrived, how were they behaving?

24 A. I didn't recognize my children.

11:30:28 25 Q. Why not? They didn't look the same physically or they

1 didn't act the same?

2 A. They didn't act the same. My children had been told  
3 terrible things about me and they were scared of me.

4 Q. When the FLDS are confronted with having to leave the  
11:30:59 5 group, what is their particular fear?

6 A. I'm sorry, can you repeat that.

7 Q. When somebody has to leave the group, for example your  
8 children, what would their fear be going with you?

9 A. Oh, they felt -- they were told for me to even touch  
11:31:21 10 them then my sins would go on them and I was a wicked  
11 immoral apostate. And it was -- they were so scared for me  
12 to even touch them that I out of love and respect for them  
13 and for what they were going through, I didn't touch my baby  
14 girl for three months after I got them.

11:31:57 15 Q. So they came in a vehicle?

16 A. They brought them in a vehicle.

17 Q. And you were in another vehicle?

18 A. And --

19 Q. How long did it take to get them from the first vehicle  
11:32:10 20 into your vehicle?

21 A. It was quite the -- I forced them into my vehicle. It  
22 broke my heart to do it, but I forced them into my vehicle  
23 and I told them that if they don't get into my vehicle then  
24 I was going to report the people that they were with they  
11:32:46 25 were going to go to prison because I was going to report

1       them kidnapping.

2       Q.    How did they behave once you got them into your  
3       vehicle?

4       A.    They were little monsters.  They destroyed the vehicle  
11:33:11 5       and they kept, um, beating on me and pulling my hair and I  
6       had to pull over to the side of the road quite a few times.  
7       I had FBI police escort, that was quite the ordeal, to get  
8       them out of that town.  But we went and hid for a while and  
9       they still found us, they wanted my children back pretty  
11:33:55 10      bad.

11      Q.    Were you contacted by the FLDS police officers?

12      A.    They constantly called me, sometimes 5, 7, 10 times a  
13      day.  Then they --

14      Q.    Did they ever successfully find the children?

11:34:16 15      A.    Yes, they did and they tried to --

16      Q.    How long -- how long after you left was it that they  
17      found them?

18      A.    That they found us it was three months.

19      Q.    How long did it take before your children accepted you  
11:34:31 20      again as their mother?

21      A.    Some of them it took up to two years before my oldest  
22      actually called me mom.

23      Q.    How are they doing now?

24      A.    They're doing great.  They're really happy, successful.

11:34:47 25      Q.    Graduated from high school?

1 A. Graduated from high school, some of them, um --

2 Q. They're your children again?

3 A. Yeah, they're my children again.

4 Q. So are they happy now that they are out of the group?

11:35:01 5 A. Yes, very happy and they thank me every day for coming  
6 and getting them.

7 Q. You never would have lost them if you hadn't believed  
8 what Warren Jeffs had told you, correct?

9 A. Correct.

11:35:22 10 Q. That he was the prophet and you needed to be absolutely  
11 obedient?

12 A. Correct.

13 Q. And you didn't know of any of his confessions at all?

14 A. Definitely not.

11:35:43 15 Q. And --

16 A. I didn't -- one of his daughters was married to my  
17 husband and I still had no idea of anything that was later  
18 confessed.

19 Q. Okay. Because that daughter had been molested by him?

11:36:07 20 A. Yes. She later told me after she left.

21 Q. But none of that was known to you?

22 A. No.

23 Q. And you, like all of the other FLDS people who were  
24 allowed to stay, believed 100 percent in him?

11:36:23 25 A. 100 percent.

1 Q. Okay.

2 MR. HOOLE: Your Honor, I think that's all I have  
3 got unless the court has questions.

4 THE COURT: Do you want to ask her about the  
11:36:35 5 specifics of her damages?

6 MR. HOOLE: Yes. We would proffer damages based  
7 on Exhibit A, and let me see what I have got on that. Can I  
8 have just a moment?

9 THE COURT: Sure.

11:37:43 10 Q. (By Mr. Hoole) Sarah, your legal team would have  
11 worked with you about your damages, economic losses, when  
12 those disclosures were provided to the other side in this  
13 case. Do you remember working with Karen Porter to do --

14 A. Yes.

11:38:12 15 Q. -- to come up with that. The document in terms of  
16 labor that you provided, did you work, wherever you were,  
17 for the benefit of Warren Jeffs?

18 A. Yes.

19 Q. What kind of work did you do?

11:38:57 20 A. Sometimes I did a lot of different things. It depends.  
21 For a time I worked at a company that they owned called ALCO  
22 Snugs, um, printing lanyards and assembling them. Sometimes  
23 I would do office work there. Um, I would also do sewing,  
24 cooking for -- sewing clothes or cooking meals for work  
11:39:46 25 crews for the crews of men.

1 Q. Were you paid for any of this?

2 A. No.

3 Q. The economic damages that have been calculated I think  
4 through the date of the disclosures that were made for labor  
11:40:13 5 total \$271,142.60. Does that sound accurate?

6 A. I am sure that that's at least that much.

7 Q. How far did you go in your schooling?

8 A. Um, immediately after eighth grade then I was put into  
9 teaching children school.

11:40:49 10 Q. So you taught after eighth grade, you didn't go to  
11 school?

12 A. Right.

13 Q. And your damages as a loss of your educational  
14 opportunities have been estimated at \$100,000. Do you think  
11:41:07 15 that's accurate?

16 A. At least. One of the hardest things right now is to  
17 get a job above minimum wage and that's kind of hard to  
18 support seven children.

19 Q. And medical care, counseling, those kinds of things  
11:41:26 20 that you have --

21 A. I can't even imagine how much added up but it's at  
22 least -- at least \$150,000.

23 Q. Well, the number we had was \$223,540.76 but I think  
24 that included a projection for future medical bills. Does  
11:41:49 25 that sound accurate to you?

1 A. Yeah, at least. That's not counting the accident that  
2 is like all the provable --

3 Q. Those are the economic damages?

4 A. Yes, economic.

11:42:10 5 Q. That is not the pain and suffering you went through?

6 A. Right.

7 Q. Do you still suffer from what you went through?

8 A. I struggle with severe PTSD, um, depression, anxiety.

9 Um, I still have trouble with my brain injury, cognitive  
11:42:41 10 function.

11 Q. If you were able to have a magic wand and send a  
12 message to the people that you know and love but they're not  
13 listening, what would you tell them?

14 A. I don't know exactly what I would tell them because I  
11:43:05 15 know from personal experience that nobody else can do that  
16 for me -- for them. They have to do it for themselves.

17 Q. Nobody can change your religious views?

18 A. Yeah, it's just something that you have to do for  
19 yourself. And no matter how hard that hurts or breaks your  
11:43:26 20 heart it's the truth. They have to be ready to know what  
21 the truth is and the truth that's in themselves.

22 Q. So would the key be information?

23 A. The key, I would say, look inside yourself and find out  
24 what's true and follow it and not follow what other people  
11:43:49 25 tell you that is true.

1 Q. Just get -- seek out the information and make your own  
2 decisions?

3 A. (Witness nodded.)

4 Q. Would that be?

11:44:00 5 A. Right. Correct.

6 Q. Okay.

7 MR. HOOLE: That's all I have got, Your Honor.

8 THE COURT: Thank you, Ms. Allred.

9 THE WITNESS: Thank you.

11:44:14 10 THE COURT: Do you want her to be excused?

11 MR. HOOLE: Yes.

12 THE COURT: Ms. Allred, that means you don't need  
13 to worry about being recalled. You may leave.

14 THE WITNESS: Thank you.

11:44:24 15 MR. HOOLE: We would call Holly Bistline.

16 THE CLERK: Raise your right hand.

17 **HOLLY BISTLINE,**

18 called as a witness at the request of the Plaintiffs,

19 having been first duly sworn, was examined

11:45:08 20 and testified as follows:

21 THE WITNESS: Yes.

22 THE CLERK: Thank you.

23 MR. HOOLE: And Your Honor, this is a fraud  
24 claim.

11:45:13 25 THE COURT: Okay.



1 THE CLERK: Would you please state and spell your  
2 name.

3 THE WITNESS: Holly Bistline, H-O-L-L-Y  
4 B-I-S-T-L-I-N-E.

11:45:24 5 THE CLERK: Thank you.

6 THE WITNESS: Sorry.

7 **DIRECT EXAMINATION**

8 BY MR. HOOLE:

9 Q. Holly, how are you?

11:45:27 10 A. Good.

11 Q. Holly, where do you live?

12 A. I live in Boise, Idaho.

13 Q. Who do you live with?

14 A. With my three kids. I have three kids that live with  
11:45:39 15 me in an apartment.

16 Q. Okay. Were you born and raised in the FLDS?

17 A. Yes.

18 Q. You have heard the testimony today. Do you agree with  
19 the things you have heard?

11:45:48 20 A. Yes.

21 Q. Did you get a chance to read those common allegations  
22 of fact?

23 A. Yes.

24 Q. Were those accurate?

11:45:56 25 A. Yes.

1 Q. You need to answer audibly.

2 A. Yes, sorry.

3 Q. Thank you. And did you also read the specific  
4 allegations relating to your experience?

11:46:06 5 A. Yes.

6 Q. Were those accurate?

7 A. Yes.

8 Q. Okay. I want to ask you a little bit more about those  
9 and we start with Warren Jeffs becoming the prophet. Do you  
10 remember that happening?

11 A. Yes.

12 Q. What is your recollection of that?

13 A. Um, so before he became the prophet, he was actually  
14 counseling me on my first marriage over the phone and stuff  
11:46:35 15 so I was talking to him. And I'm trying to remember if it  
16 was before he became the prophet or after that he told me to  
17 get divorced, basically, and move down to my father's, my  
18 step dad's. So basically I knew he was the leader and --

19 Q. So was he the leader even if he hadn't been  
11:47:05 20 officially --

21 A. Yes. So I just have a hard time remembering exactly  
22 when the switch was.

23 Q. Okay. So do you remember when he was officially the  
24 prophet?

11:47:15 25 A. Yes.

1 Q. Did you accept him as the prophet?

2 A. Yes.

3 Q. Did you believe he was the prophet?

4 A. I did.

11:47:20 5 Q. Okay. Was there any doubt in your mind?

6 A. No.

7 Q. Okay. And you say he counseled you in his role?

8 A. Yes.

9 Q. Um, and told you to get a divorce?

11:47:32 10 A. Yes. He had me -- before that he had me write down  
11 stuff on my husband and what was going on and call him  
12 regularly and then --

13 Q. Did you love your husband?

14 A. I did to some degree but we definitely had our  
11:47:50 15 problems.

16 Q. Okay. Was that an arranged marriage?

17 A. Um, well, I liked him before and then Rulon told us to  
18 get married and he wouldn't give us a priesthood marriage  
19 for a year.

11:48:04 20 Q. So you had a legal marriage?

21 A. Yeah, legal marriage and then we were able to get a  
22 priesthood marriage.

23 Q. And that's the same thing as a spiritual marriage?

24 A. Yeah.

11:48:12 25 Q. Okay. How many children did you have with your first

1 husband?

2 A. I had four children from him.

3 Q. Do you have all of those children with you at this  
4 point?

11:48:21 5 A. Yes.

6 Q. What about your oldest?

7 A. Um, so after I left, my oldest was still left in the  
8 religion.

9 Q. Is he still there?

11:48:33 10 A. I haven't seen him or heard from him since which has  
11 been from December of 2013.

12 Q. Do you have any way to get a hold of him?

13 A. I don't. I have heard that he is working construction  
14 still but --

11:48:47 15 Q. Is he working for the church?

16 A. As far as I know.

17 Q. To your knowledge?

18 A. I've never heard different so I don't know.

19 Q. So after the prophet or Warren Jeffs told you to  
11:48:59 20 divorce your first husband, were you placed in another  
21 marriage?

22 A. I was. So I lived at my step dads for a year, around  
23 that, and one day Warren called me on the phone and asked if  
24 I was ready to go forward and I told him yeah. And he said  
11:49:18 25 I'll send a ride for you. And he sent a driver who picked

1 me up that very day and took me out to LeRoy Jeffs house at  
2 the time and told me I was marrying James Jessop and within  
3 just a few minutes he had come in and married us.

4 Q. Did you know who he was?

11:49:38 5 A. I did know him because I had gone to school with him.  
6 So I knew who he was but --

7 Q. Did you have children with him?

8 A. I had three children with him. So at the time Warren  
9 had looked at me and told me this man is a perfect  
11:49:55 10 priesthood man, he's a good man, obey him, and because I  
11 believed Warren so much and set me out I think that's why I  
12 stayed in that marriage through the emotional and physical  
13 abuse we went through for eight and a half years.

14 Q. You are talking about the second marriage?

11:50:13 15 A. Yeah. Where I feel like if I wouldn't have believed  
16 Warren, I wouldn't have stayed there that long trying to --

17 Q. So did you, while you were in the FLDS, did you believe  
18 Warren Jeffs was the prophet?

19 A. Yes, 100 percent.

11:50:27 20 Q. Did you ever --

21 A. Even when I left I still thought he was.

22 Q. Okay. And did you ever question that belief?

23 A. No. No. Because on the phone when he had talked to me  
24 he -- he just had all of the high expectations, good  
11:50:44 25 trainings, he talked against abuse for kids, just stuff like

1 that so I really thought he was a good person.

2 Q. Okay. And did he hold himself out as the prophet?

3 A. He did.

4 Q. Did he say he was the prophet?

11:51:02 5 A. Um, he did, yeah. Because when he told me to get a  
6 divorce, I'm trying to remember how he worded it, but  
7 basically through him and the Lord has told him that my  
8 husband was to be sent away, wasn't worthy, and then go and  
9 file, you know, the divorce and --

11:51:25 10 Q. Okay. Um, to your knowledge, did everybody in the  
11 community believe he was the prophet?

12 A. Yup.

13 Q. And what happened to somebody if they didn't believe  
14 that?

11:51:39 15 A. They were sent away and had their -- I had known of  
16 several people that had been sent away.

17 Q. Is it common in the FLDS for even believing people to  
18 be sent away?

19 A. Yes.

11:51:55 20 Q. Is it common in the FLDS to send parents away?

21 A. Yes.

22 Q. And leaving their children behind?

23 A. Yes.

24 Q. Are there a lot of children who live in the FLDS  
11:52:08 25 without either their mother or their father?

1 A. Yes. Yes, I had sisters, nieces that had their  
2 children took away.

3 Q. Okay. And so there parents would be off somewhere  
4 repenting at a distance or struggling with their own  
11:52:23 5 thoughts and emotions?

6 A. Yes.

7 Q. Okay. Was that a concern for you when you were in the  
8 community?

9 A. It was. And that is where I started thinking of  
11:52:34 10 leaving was because they had took two of my boys and moved  
11 them to a non-member house, boys house. And but they took  
12 my oldest son away and he was off doing construction as a  
13 member so he couldn't live with me and so I had my daughter  
14 and my little kids with me.

11:52:57 15 Q. Okay.

16 A. In a non-member house. And it was then that I realized  
17 I just can't do it with my kids being split up and I knew it  
18 was just a matter of time that I was going to lose more of  
19 them.

11:53:12 20 Q. And so even though you were still a believer, you felt  
21 like you had to do something before you lost even more of  
22 them?

23 A. Yes.

24 Q. What did you do?

11:53:21 25 A. Um, so my oldest daughter started talking about

1 leaving. And as soon as I realized she would go with me and  
2 I wouldn't have to leave her there is when we just started  
3 talking about it. I was shocked that she was even talking  
4 about it.

11:53:39 5 Q. Why were you shocked?

6 A. I just didn't think that she would even question, you  
7 know.

8 Q. Is that the kind of thing you're not supposed to talk  
9 about?

11:53:48 10 A. Yeah. Yeah. And --

11 Q. You saw you had somebody there you could confide in?

12 A. Yes. So once I realized she would go with me, I could  
13 get my kids to go and I decided to leave.

14 Q. Okay. And how did you do it?

11:54:04 15 A. Even then I didn't know if some of my other kids would  
16 go or put up a fight but luckily they did, all except my  
17 oldest son.

18 Q. And you got them out?

19 A. Yes.

11:54:16 20 Q. When did you start questioning whether Warren Jeffs was  
21 telling you the truth?

22 A. It was probably about a half a year later that I  
23 started hearing stuff about him and even then I thought oh  
24 it's probably just made up, you know, and stuff. And then I  
11:54:36 25 started seeing more in those pictures with him with those



1 young girls and just started realizing wow, you know.

2 Q. You didn't believe that?

3 A. I didn't.

4 Q. Have you heard anything about his confessions while you  
11:54:50 5 were still --

6 A. I hadn't, nope.

7 Q. What information were you allowed to have?

8 A. Basically none because we weren't allowed to go on the  
9 internet or anything. We would just -- he wanted us to  
11:55:06 10 absorb in through his trainings and we would listen to his  
11 tapes every single day.

12 Q. So that's the information that you had?

13 A. Yeah.

14 Q. And that's the information you relied on?

11:55:19 15 A. Yup.

16 Q. Is that right?

17 A. Yes.

18 Q. You need to answer audibly.

19 A. Sorry.

11:55:24 20 Q. Okay. And even for six months after you left, in order  
21 to keep your children with you, you continued to believe?

22 A. Um, I believed, but I felt like I wasn't going to be  
23 part of it any more and I was worried something bad was  
24 going to happen to me if I left, you know, what if all this  
11:55:53 25 bad stuff happens for leaving. So I lived in fear for a

1 part of it.

2 Q. Had you been taught that if you left bad things would  
3 happen?

4 A. Yes. So I was -- I was nervous to trust people and do  
11:56:05 5 too much, but after I realized I just yeah totally different  
6 mindset.

7 Q. Had you been taught not to trust outsiders?

8 A. Yes.

9 Q. What about law enforcement?

11:56:15 10 A. Yes. I didn't trust hardly anybody.

11 Q. What about judges?

12 A. No. It was --

13 Q. Could -- as a member of the group, could you, if there  
14 were problems, could you call the police?

11:56:31 15 A. No. And that is one of the things that, um, wasn't  
16 like I didn't do anything when my kids were being abused, I  
17 was writing letters to the prophet and the bishop thinking  
18 that they were going do something and help me.

19 Q. Did you ever try to contact the --

11:56:52 20 A. So --

21 Q. -- the local police that were the FLDS?

22 A. I never did, but I definitely tried to call in and talk  
23 to Warren and I wrote letters to him and the bishop telling  
24 him the physical and mental abuse that was going on and  
11:57:09 25 thinking something was going to happen different.

1 Q. Okay.

2 A. And it just never did because yeah, now I know why  
3 but --

4 Q. You never got a response?

11:57:19 5 A. No.

6 Q. So you had to take it into your own hands and flee with  
7 your children?

8 A. Yes.

9 Q. Was that a difficult process?

11:57:32 10 A. It was. It was -- it was -- it was a lot of fear going  
11 into it. We left in the middle of the night not that we had  
12 to sneak but it was -- it wasn't worth having someone show  
13 up and try to stop us or try to convince me different.

14 Q. So had you kept the secret with your oldest daughter  
11:57:55 15 then?

16 A. Yes. Yes.

17 Q. Nobody knew you were going to do it?

18 A. Just some of my family that was already out of the  
19 religion offered to help us load up and stuff. So they knew  
11:58:06 20 but -- but I didn't even dare tell my oldest son because I  
21 didn't know what he would do. I didn't tell him until we  
22 were on the road leaving. So...

23 Q. What did he do when you told him?

24 A. He cried, he didn't understand it. I wish now I would  
11:58:22 25 have said more and took him, tried to convince him to go

1 with us, but at the time I felt like it wasn't safe to do  
2 that.

3 Q. So he decided he needed to stay?

4 A. Yeah.

11:58:35 5 Q. Okay. How old is he?

6 A. Um, so when he was 12 he started going on the  
7 construction crews with his step dad and basically just kind  
8 of got tookeen (sic) away from me so I didn't really have  
9 much of an influence with him. Um, trying to remember how  
11:58:55 10 old he would have been when I left.

11 Q. He had been taken on to work crews?

12 A. Yeah.

13 Q. And then was he still a minor when you left?

14 A. No.

11:59:03 15 Q. He was over 18?

16 A. Yeah. He is turning 30 now this September so --

17 Q. But regardless he decided to stay?

18 A. Yeah.

19 Q. And you haven't seen him since?

11:59:15 20 A. No.

21 Q. In the community were the homes controlled by Warren  
22 Jeffs?

23 A. Yes.

24 Q. Was that through the United Effort Plan Trust?

11:59:36 25 A. Yeah. Yeah.

1 Q. And if somebody were sent away, would they lose their  
2 home?

3 A. Yes.

4 Q. They would lose their family?

11:59:43 5 A. Yeah. Like we lived in one house that my second  
6 husband had built and we just got word to move to this other  
7 house. So we all picked up and moved to this other house  
8 and gave that one up. And it was really tough on him  
9 because he had built that, put a lot into it.

12:00:05 10 Q. But you do what you're told?

11 A. Yeah. So we moved to a different house. And when we  
12 -- when I got separated from him, because we were  
13 non-members we moved to a -- and I had moved with some of my  
14 children to another house. So yeah, we just moved to  
12:00:24 15 wherever they put us.

16 Q. So when you say non-members, let's clarify that a  
17 little bit. What do you mean by a non-member?

18 A. So we went up to the bishop and then he did a judgment  
19 and if you were worthy enough you got to be a member of the  
12:00:38 20 church. If you still had to repent and weren't good enough  
21 you would be a non-member.

22 Q. And so what year was this approximately?

23 A. There was a list of questions that, you know, and I was  
24 doing everything. I didn't understand why. I wasn't a  
12:00:52 25 member but my oldest son was a member, the rest of my kids

1 wasn't and that's where the division started with my kids.

2 Q. Was this when the United Order was initiated in 2011?

3 A. Yes.

4 Q. Okay. And that separated members of the United Order

12:01:11 5 or the UO from people who were not yet qualified to be in

6 the UO. Is that correct?

7 A. Yeah.

8 Q. But the people who were not yet qualified to be in the

9 UO were still followers of Warren Jeffs?

12:01:24 10 A. Yes. So it got to where we had to live separate. So I

11 couldn't even live with my oldest son because he was a

12 member and he wasn't supposed to talk to us. So -- and my

13 husband at the time was a member and I was living in a

14 non-member house and struggling for food and money and

12:01:49 15 living off of the storehouse. So they couldn't even help us

16 out at all.

17 Q. So the United Order was used as a way to divide

18 families up?

19 A. Yes.

12:01:59 20 Q. Did that cause you -- well you said it caused you

21 concern?

22 A. Yeah.

23 Q. While you were in the group following Warren Jeffs, did

24 you find that he kept on giving tests that you had to pass?

12:02:17 25 A. Yes.

1 Q. And they got --

2 A. Things got harder and harder.

3 Q. Harder and harder. And why would you try to pass that  
4 test and then the next test and then the next test, why  
12:02:27 5 would you try and do that?

6 A. I think my angle was I wanted to be worthy enough and  
7 live in the celestial kingdom. You know, you want to live  
8 with your kids forever in the next life and it's real, the  
9 fear was real that my kids would be lifted up and saved and  
12:02:48 10 I wouldn't go with them.

11 Q. I see. And was there also a belief that the  
12 destructions would come?

13 A. Yes.

14 Q. What are the destructions?

12:02:57 15 A. So, um, and that's what we were taught is the lifting  
16 up of the whole earth would be destroyed except the people  
17 that were good and worthy would be saved.

18 Q. That's why everybody moved from Salt Lake down to  
19 Southern Utah?

12:03:12 20 A. Yes.

21 Q. Um, because the world was going to be destroyed?

22 A. Yeah.

23 Q. And they were going to be lifted up?

24 A. Yup.

12:03:19 25 Q. But they weren't?

1 A. It sounds crazy now, but yeah, I really worried about  
2 it.

3 Q. And the people in fact gathered one morning and were  
4 not lifted up?

12:03:29 5 A. Yeah.

6 Q. And was there an explanation from Warren Jeffs as to  
7 why they weren't lifted up?

8 A. Um, at one point I think he told us the Lord was giving  
9 us more time.

12:03:43 10 Q. To get more prepared?

11 A. To get more prepared.

12 Q. Be more worthy?

13 A. Yeah.

14 Q. Okay. So it was the people's fault that they hadn't  
12:03:51 15 been lifted up?

16 A. Yeah. Yes.

17 Q. That's why you were passing all those tests, one after  
18 another, to the point --

19 A. Yes.

12:03:57 20 Q. -- where you're either a member or a non-member of the  
21 United Order?

22 A. Yeah.

23 Q. And would you agree that Warren Jeffs used the belief  
24 that children belong to the priesthood to separate children  
12:04:14 25 from parents?



1 A. Absolutely, yes.

2 Q. And would you agree with the testimony earlier that if  
3 Warren Jeffs controls a child, he controls the mother?

4 A. Yes.

12:04:28 5 Q. And was that how he was operating as you look back at  
6 it now?

7 A. Yes.

8 Q. Okay. Somehow you knew that instinctively and were  
9 able to leave even though you believed in him?

12:04:39 10 A. Yeah, it -- I think it was more just the heart break of  
11 watching kids separated from parents. Because I had gone up  
12 and cooked and took care of like a house with 10 to 15 boys  
13 that were 12 and 13 years old that weren't worthy enough to  
14 live with their family any more.

12:05:01 15 Q. Okay.

16 A. So --

17 Q. If you had learned while you were in the community that  
18 Warren Jeffs had admitted being immoral with a sister and a  
19 daughter --

12:05:16 20 A. Yeah.

21 Q. -- or that he had said I haven't had priesthood since I  
22 was 20 and I never have been a prophet.

23 A. Yeah.

24 Q. What would you have done?

12:05:26 25 A. I would have left a long time ago.

1 Q. Do you know when he said that?

2 A. I don't.

3 Q. Okay.

4 A. That was after I had left that I, you know, heard that  
12:05:39 5 and stuff but --

6 Q. Do you remember if it was before his trial in  
7 Washington County in 2007. It's okay if you don't know,  
8 that's in the common allegations.

9 A. Yeah, I don't remember.

12:05:57 10 Q. That is in the common allegations. But you do now know  
11 that he did that?

12 A. Yes.

13 Q. You didn't know during the time?

14 A. (Witness nodded negatively.)

12:06:06 15 MR. HOOLE: One moment, Your Honor, for damages.  
16 I lost my help. Maybe we could take a two-minute break.

17 THE COURT: Let's take a 10 minute break. Do you  
18 mind waiting?

19 THE WITNESS: No, that's fine.

12:06:24 20 MR. HOOLE: We're actually ahead of schedule,  
21 Your Honor. We can call a witness I was planning on calling  
22 tomorrow next and be done by 1:30.

23 THE COURT: Let's go ahead and take 10 minutes,  
24 all right?

12:06:37 25 MR. HOOLE: All right.

1 (Recess.)

2 THE COURT: Mr. Hoole, if you and your witnesses  
3 are cold, I apologize. We have no control over the  
4 temperature in this room for some strange reason. And if  
12:21:47 5 anyone's hands are cold, they should complain to  
6 Mr. Robertson right here (indicating).

7 MR. HOOLE: I haven't noticed it. It seems very  
8 pleasant to me.

9 THE COURT: Well, I'm glad. I'm glad. I noticed  
12:21:58 10 she put a jacket on.

11 THE WITNESS: No, it's just for security. Don't  
12 worry about it.

13 MR. HOOLE: It's your security blanket?

14 THE WITNESS: Yeah.

12:22:06 15 THE COURT: Go ahead, Mr. Hoole.

16 Q. (By Mr. Hoole) So Holly, you were raising a lot of  
17 children in the FLDS. But did you also do projects when  
18 asked by the priesthood?

19 A. I did some but not as much as my two oldest children.

12:22:23 20 Q. What kind of things did you do?

21 A. I did some of the sewing.

22 Q. Were these sewing of --

23 A. Sewing projects for the storehouse.

24 Q. For example, what would you sew?

12:22:35 25 A. Like I have sewn on the long underwear for a little

1 while.

2 Q. The FLDS religious underwear?

3 A. Yes.

4 Q. So you would sew that to the storehouse and then the  
12:22:46 5 storehouse would make that available to people?

6 A. Yeah, yes.

7 Q. Is that how that worked?

8 A. Yeah.

9 MR. HOOLE: Okay. Your Honor, with respect to  
12:22:52 10 economic damages, we do not have a number for Holly. We  
11 have not focused on economic damages in her situation. So I  
12 have no further questions. If she may be excused.

13 THE COURT: All right. Thank you.

14 THE WITNESS: Thank you.

12:23:06 15 MR. HOOLE: We call Marvin Cooke.

16 **MARVIN COOKE,**

17 called as a witness at the request of the Plaintiffs,

18 having been first duly sworn, was examined

19 and testified as follows:

12:23:35 20 THE WITNESS: Yes, sir.

21 THE CLERK: Thank you. And would you state and  
22 spell your name.

23 THE WITNESS: My name is Marvin Cooke.

24 M-A-R-V-I-N, Cooke, C-O-O-K-E.

12:23:50 25 THE CLERK: Thank you.

**DIRECT EXAMINATION**

BY MR. HOOLE:

Q. Marvin, did you grow up in -- were you raised in the FLDS?

A. I grew up my entire life until I was 55 years old. I grew up in a polygamous family. My father had four wives and so I grew up with 26 siblings that were four girls and 26 that were boys. So yes, I grew up my entire life that way.

Q. Where do you live now?

A. I now live in Spanish Fork.

Q. And who do you live with?

A. Well, I live with my girlfriend, but I'm sad to tell the court that we're in a break up. We have a break up about every three months because of my condition. It's like whenever I get into these trauma, you know, this case coming up right now it is like I lose it. So we'll get back together and patch things up once I get through with court I think, I pray.

Q. Hang on for another 45 minutes or so.

A. Yeah.

Q. Have you read the common factual allegations?

A. Yes, sir. Probably 10 times.

Q. Do you agree with that?

A. Yes, sir.

1 Q. Okay. Any clarifications with respect to those?

2 A. No, not as far as the general. I think we're good.

3 Q. Okay. And have you had your specific individual  
4 allegations?

12:25:23 5 A. Yes. My specific ones I have read and I agree with.

6 Q. Okay. So you -- have you -- while you were in the  
7 group, were you living in Short Creek?

8 A. I lived in Hildale actually. Of course we called it  
9 Short Creek, we called it Short Creek. I remember when it  
12:25:50 10 got changed from Hildale you know from Short Creek to  
11 Colorado City and Hildale in the mid 60s. But I lived in  
12 Hildale and Colorado City until 1993 and then I moved up  
13 here to Salt Lake but I was still under the -- under the  
14 influence of directly under Rulon Jeffs. And I have quite a  
12:26:14 15 bit of -- like he and I were really, really close so I have  
16 a lot of stuff that I know he said to his son that I think  
17 will be really important here. But yes, I have lived there  
18 and then in Salt Lake and then back down there.

19 I lived in Escondido, California for six months;  
12:26:33 20 Portland, Oregon for six months, but those were on jobs that  
21 I was doing. My profession is flooring and it was a large  
22 commercial flooring so, you know, we moved around and lived  
23 in different locations.

24 THE COURT: But were you employed by the FLDS?

12:26:50 25 THE WITNESS: I owned the company. It was my

1 company.

2 THE COURT: You owned the company.

3 THE WITNESS: So I have a lot of information on  
4 how a FLDS company operates later if there is questions you  
12:27:01 5 want to ask about that I'll address that specifically.

6 THE COURT: I'm curious. How old are you now?

7 THE WITNESS: I'm 64 -- 64 years and 8 months and  
8 I -- I barely retired. So...

9 THE COURT: You have been away from the --

12:27:17 10 THE WITNESS: For 10 years in December.

11 THE COURT: Okay. Thank you.

12 Q. (By Mr. Hoole) So you lived under LeRoy S. Johnson?

13 A. I lived under Uncle Roy, yeah, we called him Uncle Roy.

14 Q. And then next was Rulon Jeffs?

12:27:34 15 A. And then Rulon Jeffs. And he and I were really close.  
16 I was really close with Uncle Roy.

17 Q. You mentioned that he shared information with you about  
18 his son. Were you talking about Warren Jeffs?

19 A. About Warren Jeffs, yes.

12:27:46 20 Q. What about Warren Jeffs do you think would be helpful  
21 for the court to know?

22 A. Well, I kind of thought we would get into that when we  
23 started talking about my experience of what happened, but I  
24 did have, like I had three wives, so I'm a polygamist and --  
12:28:04 25 or I was a polygamist. And I made the mistake and if

1 anybody that ever hears this testimony hears this I would  
2 recommend they don't do what I did. But I went and tried  
3 out the experience of having sexual contact with one woman  
4 while the other one was there. It was a mistake, I admit  
12:28:28 5 that. But the reason I tell that to the court today is  
6 because I am the only soul that I know of that heard Warren  
7 Jeffs speak these words and I'm going to tell you about,  
8 okay.

9 So I got brought into court, into Warren's court,  
12:28:45 10 which I thought was Uncle Rulon but it was really Warren  
11 doing the doing the interview. My wife said we have an  
12 appointment with Uncle Rulon tomorrow. Well it shocked me.  
13 I think this is important to the court to understand this.  
14 I had come into Uncle Rulon's office prior to this, two  
12:29:09 15 years prior, and Winston Blackmore, who is a bishop in  
16 Canada had just barely walked out of the room. And Uncle  
17 Rulon would say these kinds of things to me because we were  
18 so close. He said, he said, Winston Blackmore and I just  
19 barely shook hands with a priesthood grip and made a  
12:29:32 20 covenant to each other that we would never see a woman  
21 without her husband present. So see in my knowledge that  
22 was Rulon Jeffs' own personal training but then when it came  
23 to Warren and my experiences with Warren he did not honor  
24 that. And you'll see that later in my testimony about when  
12:29:51 25 the family, but the point I'm trying to make that I saw that



1 you asked about is that Warren -- after I got into court and  
2 we were clear done with that case that I got brought before  
3 him he said, I have a message to you from father, meaning  
4 his father Rulon Jeffs. He said father said to give you the  
12:30:17 5 message that if you have ever been in the presence of more  
6 than one woman at a time in a sexual way, that it's -- and  
7 he put his hand up like this (indicating) and he said, that  
8 is not part of the gospel, never has been part of the  
9 gospel, world's before this one and never will be part of  
12:30:35 10 the gospel world's beyond this. And he went to four fingers  
11 saying it like that. I personally know from Warren's own  
12 testimony to me that his father said that.

13 Q. Okay. Well, so you watched the transition?

14 A. Oh, yeah.

12:30:55 15 Q. From Rulon to Warren?

16 A. Oh, yes.

17 Q. And did you accept Warren as a prophet?

18 A. Oh, with, you know, since I have got out of there,  
19 since I got booted out of there I've asked myself why didn't  
12:31:11 20 I go to God and ask because maybe God would have said no but  
21 I didn't even stop -- he had us so entrenched in following  
22 Warren, meaning Rulon Jeffs had us so entrenched in  
23 following Warren that when Warren took this control, nobody  
24 questioned it. He had been -- there had been enough people  
12:31:32 25 getting sent away. We would -- you know, we were raising

1       our hand and saying yes to everything that he said. And if  
2       you didn't, you were sent away.

3       Q.    So did he claim that he was the prophet?

4       A.    Oh, yeah.

12:31:42 5       Q.    Warren did?

6       A.    Absolutely. I was in the meeting when he had -- when  
7       he had three or four witnesses get up and tell about what  
8       his father had said about him prior to his and all of us, I  
9       mean every one of us in that audience raised our hands. If

12:32:00 10       we hadn't have, we would have been sent away. But --

11       Q.    You personally believed it?

12       A.    Oh, yeah. I --

13               THE COURT: Mr. Hoole, you may have already  
14       established this, but when was it that Warren Jeffs replaced  
12:32:16 15       Rulon Jeffs?

16               MR. HOOLE: Yes.

17               THE COURT: And I am -- this is just for my  
18       curiosity. How long was Rulon the prophet?

19               THE WITNESS: 2001.

12:32:27 20       THE COURT: Uncle Roy.

21               THE WITNESS: Oh, uncle Roy died in November  
22       of 1986 and Uncle Rulon died in, I don't remember what month  
23       it was, but it was 2001 or '02.

24       Q.    (By Mr. Hoole) November?

12:32:40 25       A.    November of 2002? I was actually in Canada when it

1 happened. But Warren, see this is the thing that is  
2 important and why your -- the question needs established.  
3 If Warren had already been -- even before 1980 -- '98 when  
4 Rulon had his stroke, Rulon was having Warren do stuff for  
12:33:02 5 him that was critical to our livelihood or our -- and so  
6 Warren was basically in control long before his father  
7 passed away.

8 Q. So it was the natural thing for him to take control as  
9 the prophet?

12:33:17 10 A. Yeah, it was a natural thing for him when his father  
11 had his stroke, it was natural for Warren because clear back  
12 in '84 when I was -- when I was living in Manti, I forgot to  
13 mention I lived in Manti when I was first married, but when  
14 in 1984 or '85, it was when I remember Warren getting up and  
12:33:38 15 starting giving sermons in meetings that were critical to  
16 the doctrines of the church that we had, you know, that was  
17 like we believed it a certain way and then all of a sudden  
18 we start hearing a little bit different twist and that  
19 started in the '80s.

12:33:53 20 So Warren became his father's mouthpiece in --  
21 clear back in the '80s. I remember it happening, the  
22 transition.

23 Q. And did that continue even more after?

24 A. Oh, yeah, he took absolutely control.

12:34:14 25 Q. We need not speak over each other.

1 A. Right. Sorry.

2 Q. Wait until I finish and I'll try not to start until  
3 after you finish.

4 A. Okay. Your question?

12:34:25 5 Q. After Rulon's stroke, did Warren become more of a  
6 mouthpiece for his father?

7 A. Oh, yeah. In fact when I took -- when I talked about  
8 that when I got brought into court I thought that Rulon was  
9 going to be the one we went to see but it was Warren.

12:34:43 10 That's just the way it became. Warren stood in for his  
11 father, he -- he took his father's place while his father  
12 was still alive, yes, very much so.

13 Q. So even though Warren's teachings started to differ  
14 from what Rulon had been teaching, you still accepted Warren  
12:35:04 15 as the prophet?

16 A. The way the teachings started differing is where Uncle  
17 -- what Uncle Roy had said and what Warren was saying his  
18 father was saying. For instance, I remember Uncle Roy  
19 saying to me personally, I am a man and I am as likely to  
12:35:25 20 fail as anybody else is. Now we get over here to 2002 when  
21 Warren is taking over for his father and the doctrine that  
22 he's giving while his father is sitting there is that the  
23 prophet cannot, cannot make a mistake. God and the prophet  
24 always do wrong -- do right.

12:35:48 25 Q. You believed that?

1 A. I believed that firmly with every bit of my heart.

2 Q. Was it based on that belief that all of Warren's  
3 commandments to the FLDS people were obeyed?

4 A. Oh, yes.

12:36:02 5 Q. In terms of where you lived? What house you live in?

6 A. Absolutely. In fact, in fact my family by the time  
7 2012 came we had 56 people in the house. When they moved  
8 us, the moving crew showed up and two hours later we were  
9 moved. It was not a matter of -- you didn't get a choice or  
12:36:28 10 a -- it was not even discussed prior. They just -- the  
11 moving crew showed up and said we're moving you and you were  
12 gone and moved in two hours.

13 Q. This is all under Warren Jeffs?

14 A. All under Warren's, absolutely.

12:36:43 15 Q. Would anybody make a decision about who would live  
16 where without Warren Jeffs deciding it?

17 A. At the time when we were -- when I was there I believed  
18 every bit of it was coming from Warren. I kind of have  
19 questioned since, you know, in the last 10 years whether  
12:37:07 20 Lyle was just creating some of this or somebody else was  
21 creating some of these revelations and just throwing them at  
22 us, but we believed with everything that we had that he was  
23 the -- or I should say that I believed that Warren was the  
24 prophet and that whatever he said was right and you couldn't  
12:37:25 25 question it.

1 Q. And --

2 THE COURT: Excuse me, Mr. Hoole. Did Rulon  
3 exercise the same control over the members that Warren did?

4 THE WITNESS: Well, Rulon started with  
12:37:38 5 revelations. For instance --

6 THE COURT: If you just answer yes or no.

7 THE WITNESS: Yes, to a small degree but not near  
8 as much as his son.

9 THE COURT: Okay.

12:37:51 10 Q. (By Mr. Hoole) So let me ask you this. Under LeRoy S.  
11 Johnson, there was a big dispute over whether there was  
12 going to be one man rule?

13 A. Oh, yes, and I went through all of that.

14 Q. And that was a lawsuit for years and years?

12:38:05 15 A. Uh-huh (affirmative).

16 Q. And that resulted in a bunch of the FLDS people  
17 breaking off and forming a different group?

18 A. Right.

19 Q. In Centennial Park, Arizona; right?

12:38:15 20 A. Right.

21 Q. But after the one man rule thing went into force for  
22 the FLDS people, it was one man ruled?

23 A. Oh, yeah. And Rulon, I even heard him say God has not  
24 brought another counselor -- has not brought more men into  
12:38:36 25 the council because in -- before 1984 there was seven people

1 in the priesthood council who were like in charge of the  
2 church. After that, Rulon stood in that position for  
3 14 years. I remember him saying the Lord has not brought  
4 another man into the priesthood council so that he  
12:38:57 5 establishes this one man rule. So this dictatorship, which  
6 is what I call it now, was established over that 14 year  
7 period.

8 Q. So the one man rule thing led to Rulon Jeffs being the  
9 prophet. Was he more extreme than LeRoy S. Johnson?

12:39:18 10 A. Oh, yes. And that's, for instance, he came up with the  
11 rule that which I adhered to very, very strongly that there  
12 was no sexual contact with your wives during pregnancy or  
13 nursing. So for 18 months you, I don't even know how to  
14 describe it, I kind of like the bull standing out at the  
12:39:44 15 pasture I guess is the best way to describe it, you just  
16 adhered to his rule and there was no questions.

17 Q. So it got more extreme under Rulon Jeffs --

18 A. But even more extreme, in fact so much so, and I don't  
19 know if the court has ever heard this, but anything more  
12:40:02 20 than just a simple handshake between a man and his wife  
21 could be considered adultery. That's how extreme it got.

22 Q. And as things got more extreme with new prophets, did  
23 the tests you have to pass as members increase in --

24 A. I remember, yeah, I remember in fact in 19 -- I was  
12:40:24 25 actually a member of the United Order and in -- I think it

1 was early 2012, no, it was June of 2012 I actually got up  
2 and walked out of the meeting when they said does anybody  
3 question what is going on? But the reason I walked out of  
4 the meeting is I had determined the only way you could be in  
12:40:49 5 that UO is to be an absolute liar because it wasn't possible  
6 to live up to what the requirements they were requiring. It  
7 was so -- the tests, you know, one test and then the next  
8 and the next and the next. And bizarre things like we would  
9 get baptized and be forgiven all our sins and then 30 days  
12:41:14 10 later we had to all go get dipped again like a bunch of  
11 sheep, you know, it was ridiculous.

12 How -- what could somebody have -- what sin could  
13 somebody have committed in 30 days that -- that they had  
14 been forgiven of 30 days before. I mean that's the kind of  
12:41:34 15 stuff we were -- we were just mind control the way I look at  
16 it but when we were there we didn't know of mind control we  
17 were just trying to conform.

18 Q. And you did exactly that?

19 A. Exactly. To the letter.

12:41:47 20 Q. Okay. So let me ask about you said you had three  
21 wives?

22 A. Right.

23 Q. How did you pick your wives?

24 A. I didn't.

12:41:59 25 Q. How were your wives selected?



1 A. My first wife Uncle Roy told me who I was going to  
2 marry. The second wife I had a dream and I went and told  
3 Uncle Rulon about it and it involved my second wife who I  
4 had grown -- all of my kids had grown up around her and  
12:42:20 5 Rulon says oh this might be the answer to my prayers. So  
6 she didn't want him, she didn't want a husband she just  
7 wanted a father for the children. And then shortly after I  
8 married her, her 19-year old daughter went to Rulon and said  
9 I felt like I've wanted to marry Marvin my whole life. So  
12:42:43 10 that I don't care if my mom just married him.

11 I went to Rulon Jeffs right before this happened  
12 and I asked him well what -- how does the marriage program  
13 work? And the reason I'm talking about this with Rulon is  
14 that it portrayed on to Warren and his beliefs in the  
12:42:59 15 marriage system. And Rulon told me that if a man has a  
16 revelation or a thought that he -- somebody he is going to  
17 get married to, he is to put that out of his mind  
18 immediately and never think of it again. But a girl has the  
19 right in fact he says if a girl comes to me and I ask her do  
12:43:19 20 you have somebody in mind? If she says no she is lying to  
21 God. That's Rulon's words. So that -- that shows the  
22 control that they had both over the men and the girls. And  
23 he says -- he says if a girl wants to get married and names  
24 somebody, I take it to the Lord and if the Lord says do it,  
12:43:41 25 then that's what I do.

1 Q. So did that control become more extreme?

2 A. Oh, way more extreme. In fact, with my own children.

3 With my own, you know, the experiences I had, you know, some

4 of my second wife's daughters got married and I mean it was

12:44:00 5 -- I had -- I had a son who never got married. He is now 40

6 years old but he was 20, 10 years ago he would have been 30

7 years old and he just -- they totally stopped the marriage

8 system. I don't know if the court's aware of that, but

9 there was a time there where they totally quit having any

12:44:20 10 children in the FLDS.

11 Q. Was that after Warren Jeffs went to prison in 2007?

12 A. That was after Warren -- in fact it was when went to

13 prison but it was still a control thing.

14 Q. And even now they're just now starting marriages again?

12:44:36 15 A. Yeah, that's -- I'm assuming with this -- with this new

16 Helaman stuff I'm assuming it's starting but not to my

17 knowledge, you know.

18 Q. So there is a whole generation of people that haven't

19 been married?

12:44:49 20 A. Right.

21 Q. But let me ask you this. If you went to Warren and

22 said, "I would like to marry that woman or that girl," would

23 that be permissible?

24 A. Oh, no. In fact even from his father's own words if a

12:45:07 25 man has a thought he is to just to put it out of his mind

1 because -- and the logic that Rulon used and then Warren  
2 later is that a man held priesthood so he had to rely on the  
3 person above him and women didn't. So that's why girls got  
4 to say who -- they didn't always get married to who they  
12:45:28 5 said, they just had that -- that voice that they could say  
6 if they had somebody in mind.

7 Q. They had a little bit more voice than the men?

8 A. Yeah. They had a little more voice in it.

9 Q. So if a man were to say, well, prophet, I don't want to  
12:45:45 10 marry who you are telling me to marry, what would be the  
11 repercussion?

12 A. Probably expulsion immediately if he didn't agree with  
13 what the prophet said. I mean it was -- you can be expelled  
14 for -- when we were in the United Order, they would read  
12:46:01 15 these revelations to Warren and some of them, I'll address  
16 one of them that was really bizarre to me, he named -- I'm  
17 going to not going to name names here in the court but he  
18 named my bosses name in a revelation and my best friend in a  
19 revelation in a public meeting and said so and so is to be  
12:46:25 20 sent away, and so and so is to be sent away for causing the  
21 death of an unborn child. And then he says the one man is  
22 to be sent away never to be given repentance, and the other  
23 one would be given a -- given repentance because it had  
24 happened in his newly married life due to his aggressive  
12:46:49 25 sexual nature. And that didn't make a bit of sense to me

1 because if God is just and child murder is unforgivable, how  
2 could one be given repentance and one not. Though I had  
3 that question in my mind even though it sent me for a loop  
4 and I literally slept 36 hours and would wake up and eat and  
12:47:15 5 go, you know, go to sleep, you know, eat and shower and so  
6 forth and then go back to sleep for 36 hours, I still, when  
7 they said do you accept this, I still raised my hand because  
8 you knew if you didn't raise your hand you were going to get  
9 kicked out.

12:47:33 10 I had my brother-in-law who I witnessed in one of  
11 those meetings, in fact it was the same meeting with those  
12 same two men, he stood up and he walked to the front for the  
13 sake of the court in that LSJ meetinghouse down there in  
14 Colorado City there was a great big open area and then there  
12:47:54 15 was balconies all the way along both sides. And my  
16 brother-in-law, he had a question. And so after the meeting  
17 he walked to the front of the stage up on the balcony and he  
18 said, he said, "I have a question." This is after the  
19 meeting was closed. And those men that were -- that had  
12:48:13 20 read the revelation from Warren that I'm referring to, saw  
21 him, looked at him, never answered, stood up and walked  
22 away. And that man was sent away that night for saying "I  
23 have a question." The question was never asked. It was  
24 just I have a question and he was sent away. That's the  
12:48:31 25 kind of stuff we witnessed. If you didn't raise your hand

1 and say yes, you were out.

2 Q. So did you -- did you recognize fear when you were in  
3 there?

4 A. Fear?

12:48:44 5 Q. Fear.

6 A. I did for -- from that day forward I started witnessing  
7 fear but we'll discuss that in a little bit.

8 Q. Now, you have referenced the death of unborn children  
9 or the murder of children. What is that all about?

12:49:00 10 A. Okay. So just that's the first we had heard of it but  
11 what it was is that if you -- I guess they were claiming  
12 somebody could have sexual contact which created the death  
13 of a child I mean through a miscarriage. You know when I --  
14 when I heard that revelation I went home because I have had  
12:49:25 15 a gift my entire life where I know and I know things are  
16 going to happen prior to them to when it does and I knew  
17 when I heard that about these two men who were really,  
18 really close to me, one was my boss and one was my best  
19 friend, I knew that was going to happen to me. I just -- I  
12:49:42 20 just knew that I was going to get sent away for that reason.

21 So I went home. And I said to those three  
22 ladies, and I wish I would have said it all to them together  
23 at the same time, but I said to those three ladies could I  
24 be guilty of that? And because I had adhered to the Rulon  
12:50:03 25 Jeffs teaching about no sexual contact during pregnancy or

1 nursing, the two -- the two second wives absolutely had to  
2 say no way could it be possible and my first wife said yeah  
3 I had a mis but you were off working in Texas when it  
4 happened. There is no way it could possibly be possible.

12:50:27

5 Q. So if I'm understanding you correctly, you're saying  
6 that none of your ladies, in other words, your wives, could  
7 have -- or you could have participated in the death of  
8 unborn child because no sexual relations therefore no  
9 miscarriage and there had been no use of contraception?

12:50:47

10 A. Absolutely right. And I discussed that with all three  
11 of them. And I also said, okay, you know that I am not  
12 guilty of that and I know I'm going to get sent away for  
13 that. So when this happens, if you don't stand up and  
14 support me and defend me, I'm not going to go out there in  
15 the world and wait around for you. I'm going to go and get  
16 me -- I'm going to go get me a life.

12:51:08

17 Q. Okay. I want to go back to just one thing and that is  
18 in society in general I think there might be a perception  
19 that in polygamist groups men sort of can pick and choose  
20 who they want to marry?

12:51:28

21 A. Oh, no.

22 Q. That was not the case?

23 A. Yeah.

24 Q. But if you were told to marry somebody you had to do  
25 it?

12:51:35

1 A. Yeah. I've heard of a couple of cases where there was  
2 where the prophet had told a father this girl is going to  
3 get married and then the father says well, I don't have  
4 approve of that man and it didn't happen. But I never  
12:51:49 5 personally had any experience of that, I just knew of it  
6 happening a time or two. Very, very seldom though.

7 Q. Okay. How many children did you have?

8 A. I have -- I used to say 23 but my girlfriend told me it  
9 was 24 so I have got to go back and count again. I either  
12:52:18 10 have 23 or 24 birth children and then my second wife had 14  
11 but one of them had died at birth so -- but those 13 we  
12 helped raise them. In other words, we grew up -- the two  
13 families grew up right together and we tended each others  
14 children. So when I married this second woman, all of those  
12:52:40 15 kids knew us, they knew, you know, we had been really close  
16 as families.

17 Q. Um, why did you leave?

18 A. Okay. I did not leave. I got booted out.

19 Q. How were you booted out?

12:52:56 20 A. And if the court would -- there is a little bit of a  
21 dialogue here that's I hope it doesn't take too much time.

22 Q. Keep it as concise as you can.

23 A. I will. I knew that I was going to get sent away. And  
24 I was living up in North Dakota, I was working on a hotel.

12:53:16 25 By the way, sorry, I lived in North Dakota, too. I lived

1 every where I worked.

2 But I was building a hotel. It was December 4th  
3 of 2012 and it was 30 degrees below zero. Now, when you're  
4 an FLDS on a job, it doesn't matter if it just snowed and  
12:53:37 5 there is ice across the entire hotel you went out there and  
6 you went to work. Safety was not near the issue as getting  
7 that money to the prophet. You -- you gave up any concern  
8 of yourself and went out there and worked under any  
9 condition.

12:53:59 10 I got a phone call from Lyle Jeffs and he didn't  
11 even say it was a revelation. He said, "you have been found  
12 guilty of child murder and adultery." And I had never in my  
13 life thought of another woman except for the women. Now I  
14 did do more than shaking their hands so maybe that's what he  
12:54:28 15 was referring to as adultery.

16 I immediately picked up my phone because I knew  
17 that was an absolutely lie, both of those were absolute  
18 lies. And this is the type of control and how it happened  
19 when a man gets booted out of there. I called -- I had 56  
12:54:48 20 people living in the house. I was a caretaker for my five  
21 mothers, my sister and her children, my other sister and her  
22 children, and then my sister's daughter and her children, 56  
23 of us in the family in that house. And I called 28 phones  
24 and not one soul took my phone call. Not one soul out of 28  
12:55:16 25 people. I have had children who were in that setting come



1 to me, my children, come to me and they said, when we --  
2 when that happened, when you got that phone call, the  
3 bishop's office had gathered us altogether in the living  
4 room, all 56 people. And as those phone calls started  
12:55:37 5 ringing, they said don't take his call, don't take his call,  
6 don't take his call, don't take his call. 28 phone calls.

7 To give you an idea of how it -- how that was, I  
8 was like the best person in the world in that family because  
9 fathers are revered, you know, it's a prophet and then the  
12:56:02 10 father as far as authority, and just like that I was their  
11 worst enemy.

12 Q. An apostate?

13 A. Yeah.

14 Q. What happened to the 56 people in your home?

12:56:17 15 A. They -- actually I have no idea except that they just  
16 were told by the bishop to get rid of all of my pictures,  
17 you know, now this is all hearsay because I -- I just -- I  
18 have had the visitation of my 15 children. I am the only  
19 person that I know of that went back down there and told the  
12:56:42 20 church to stand down. And I did it in such a way through  
21 the help of my lawyer that they had no choice.

22 I used -- I used everything that scares the FLDS.  
23 I used outside news media, I used police -- the police  
24 force, I used child protective services, I used child  
12:57:01 25 services -- and we had those lined up and I went down there

1 and I told them, I'm going take my children and I am going  
2 to have child protective services take my children which was  
3 the hardest thing you could ever do to go down there and  
4 take your own kids, say you're going to take your kids away  
12:57:22 5 from their mother. But it was the only choice I had because  
6 I had just found out that Warren was having sex with 15  
7 girls in the same room at the same time and I had witnessed  
8 him which I had heard that recording and knew that man was  
9 doing that when he himself said I will -- he had told me  
12:57:45 10 sorry for crying but --

11 Q. You're referring to the Texas evidence and his  
12 prosecution?

13 A. Yeah. Yes.

14 Q. Did any of your wives stand by you?

12:57:58 15 A. No, not a one of them.

16 Q. And you lost all your children?

17 A. Can I -- can I refer back to that Texas recording?

18 Q. Please.

19 A. I think that if there is ever a time that this court  
12:58:14 20 case comes into the eyes of anybody that is in the FLDS, I  
21 think they need to hear this part right here. And that is  
22 that Warren, I know for a fact that Warren had said to me  
23 any contact with more than one woman is out of line. And I  
24 had -- I read -- I have a recording that I listened to that  
12:58:41 25 Warren himself, and it is his voice and anybody -- anybody

1 that hears that recording will know it is his voice even  
2 though they claim that it was made up, and in that recording  
3 I'm going to talk about five things that are important. He  
4 talks about the white ropes, he talks about we're here to  
12:59:05 5 overcome the tradition that age matters. Now, why would a  
6 man say that to a group of woman if there wasn't underage  
7 girls. He said, come in all ye young ladies. He said,  
8 being unclad with your husband, if you have been to previous  
9 sessions, being unclad would be -- would feel normal if you  
12:59:30 10 had but if you hadn't this may be confusing.

11 And then he said the thing that why I went back  
12 down there and stood up to the church, why I was -- I wasn't  
13 going to back down for anything. I was going to die that  
14 day before I -- before I backed down. He says, and I quote,  
12:59:45 15 because I memorized it, he says, "In order to administer the  
16 heavenly comfort, he is teaching this heavenly comfort to  
17 this group of women that has already been referred to, you  
18 have to be able to be excited sexually and to excite each  
19 other. Nobody -- everybody assist, nobody stand around,  
01:00:10 20 everybody assist," end quote.

21 Q. This is part of the training that women would go  
22 through?

23 A. Right. That has been referred to by people who were  
24 there. But I'm saying this is what I heard and why I went  
01:00:22 25 back down there and stood up to the -- to the church. And

1 I'll tell you what, we -- my daughter who is now 24, in fact  
2 today's her birthday, she turned 24, she says dad, you just  
3 scared the -- I'm not going say the word, but you scared us  
4 that day.

01:00:45 5 Q. Is this a daughter who has now left the --

6 A. Yeah, who is now out of the FLDS living -- most of my  
7 children I have got them out of there. I still have two  
8 children who are living that -- I still have three children  
9 that are minor children that are still in the FLDS. But my  
01:01:07 10 goal the last nine years have been to get them out of there  
11 under any condition however I can do it.

12 THE COURT: Okay. Mr. Cooke, how were you given  
13 access to that recording of Warren Jeffs?

14 THE WITNESS: It was given to me by my lawyer.

01:01:25 15 MR. HOOLE: That would have been me, Your Honor.

16 I have a certified copy of all of the Texas evidence  
17 including all of the audio. I haven't listened to very much  
18 of the audio, but it is pretty gross.

19 THE COURT: I have not listened to the audio but  
01:01:41 20 I have read transcripts of it in the Lyle Jeffs case that  
21 you referenced earlier so I'm familiar with it. Um --

22 MR. HOOLE: Yeah.

23 THE COURT: -- it is shocking.

24 MR. HOOLE: I think it is on the internet as  
01:01:53 25 well. But if I recall, I showed you that information.

1 THE WITNESS: Yes.

2 Q. (By Mr. Hoole) Is that right?

3 A. Yes. You know, when I started reading through that and  
4 the transcripts, I was shocked. I was shocked. One of them  
01:02:10 5 that totally blew me away is there is these Mother Naomi  
6 testimonies where she's like -- like Warren is going out  
7 like a light and he has got no -- no consciousness and then  
8 when he comes to Mother Naomi tells him what he had said  
9 when he is out and those are the revelations that he went  
01:02:29 10 by. And one of them she said you're going to marry and  
11 named five girls and those were those five girls that were  
12 in Texas that he went to prison over.

13 Q. When you refer to Mother Naomi, that's the word you use  
14 to describe one of his wives?

01:02:44 15 A. Right, his favorite one that traveled with him the  
16 whole time.

17 Q. So there was this weird thing going on between Mother  
18 Naomi and him in terms of his priesthood dictation?

19 A. Yeah.

01:02:55 20 Q. And the record he kept and --

21 A. Yeah. In fact, there is -- there is 15 -- there is 15  
22 phone calls that he made after his four confessions. When  
23 he made those confessions, there is also 15 phone calls.  
24 And in one of those phone calls, which I have a -- which  
01:03:11 25 will be in that -- those dictations you talk about, he says,

1 and I quote, "it was a devil who appeared to us as an angel  
2 of light in those sessions." So he admits, by his own word,  
3 that he was being led by the devil.

4 Q. Let me -- you were shocked?

01:03:38 5 A. I was. There aren't even words to describe how shocked  
6 I was.

7 Q. Let me see if I can understand that a little better.  
8 Your specific allegations state that you were kicked out for  
9 child murder?

01:03:52 10 A. Child murder and adultery.

11 Q. You were astonished because you had never murdered a  
12 child.

13 A. It wasn't possible. It wasn't possible. I had already  
14 had all three women say it isn't possible for it to be.

01:04:09 15 Q. But did you still believe that Warren Jeffs was the  
16 prophet when you were kicked out?

17 A. I sure did. You know, that's the thing that is so  
18 bizarre. I look at it now after finding all of this  
19 evidence and going through this case, why did I even say yes  
01:04:24 20 to Lyle that day? Why didn't I say this is total bull. But  
21 that explains the indoctrination that we had been receiving  
22 for years and years and years even from my birth that led,  
23 you know, one step led to the other. I can't say Uncle Roy  
24 wasn't right, but I can sure say that after he passed away  
01:04:49 25 it became extreme.

1 Q. Do you agree that at some point the sincere religious  
2 beliefs of the people were taken advantage of through fraud?

3 A. Oh yes, absolutely.

4 Q. And that fraud was perpetuated by Warren Jeffs?

01:05:04 5 A. Right, yeah. In fact, Warren was the instrument even  
6 when his father was alive to that twist, taking things and  
7 twisting them to where something as simple as Uncle Roy  
8 saying I could make a mistake and over here Warren saying  
9 his father could never make a mistake.

01:05:25 10 Q. Do you have --

11 THE COURT: Excuse me, Mr. Hoole, may I ask?  
12 When you received that telephone call from Lyle Jeffs, did  
13 you believe it was Lyle Jeffs who was acting apart --

14 THE WITNESS: For Warren Jeffs, yes.

01:05:39 15 THE COURT: You didn't think it was for Warren.

16 THE WITNESS: Right.

17 THE COURT: Not apart from Warren?

18 THE WITNESS: Absolutely.

19 THE COURT: You still believed that Warren was  
01:05:46 20 the prophet?

21 THE WITNESS: Yes. Okay even after he said that  
22 I -- I went until -- I went until August of -- before I  
23 started hearing anything. And another thing I think it is  
24 really important that we address and talk about, June, I  
01:06:07 25 mean no, I got booted out on December 4th and March 26th,

1 the middle of the winter, cold as -- the coldest -- one of  
2 the coldest days I have ever experienced, I was driving from  
3 Phoenix to Salt Lake City. And by the way, the reason I was  
4 coming to Salt Lake City because I wanted to come up here  
01:06:31 5 where we had been told we had been told the destructions are  
6 starting in Salt Lake City because Rulon Jeffs had said the  
7 Mormon Church is the abominable church of the earth and  
8 that's where it is going to start. That's how extreme the  
9 trainings were.

01:06:47 10 I was coming to Salt Lake because I wanted to be  
11 one of the first dudes gone when the destruction come. I  
12 had come to the point that I had nothing to live for.  
13 Nothing. I was driving up -- sorry, I was driving -- are  
14 you familiar with the -- down there by the Lee's Ferry where  
01:07:15 15 the two bridges cross the Colorado River.

16 THE COURT: Yes.

17 THE WITNESS: They have the old bridge. And then  
18 they have the new bridge that goes across there. I hope you  
19 all excuse my emotions.

01:07:32 20 One of the things that happens with the Cooke  
21 kids if you want to get a Cooke kid to do something you tell  
22 them you can't do that and they'll go do it to prove you  
23 wrong. That's just part of our heritage in the family. So  
24 I'm driving across that brand new bridge, and it's a cold  
01:07:49 25 day, it's a quarter after midnight and I'm driving across



1       that new bridge and in the center of that bridge --

2       Q.     (By Mr. Hoole)   There is some Kleenex there if you need  
3       it.

4       A.     I don't know if I can tell it.   In the middle of that  
01:08:07 5       bridge there was a sign that says "do not stop on this  
6       bridge."   And something happened in my brain where I slammed  
7       on my brakes and that car slid sideways just like this  
8       (indicating) right into that, you know, facing the rail in  
9       the middle of that bridge.   And all of a sudden I was out of  
01:08:26 10       that car.   It was like something just took a hold of me and  
11       it wasn't even me.   And I was standing on the edge of that  
12       bridge and I was going.   I was holding on to that rail and I  
13       was done, I was going into that river.   And I -- and I stood  
14       there for four and a half hours -- three and a half hours  
01:08:52 15       'til quarter to four in the morning from just after  
16       midnight.   Not one car came.   And I remember looking down at  
17       that river and I thought to myself, I thought to myself it's  
18       going to be a perfect crime because the Colorado River  
19       doesn't give up the dead, it doesn't give up its body, it's  
01:09:15 20       going to be a perfect crime.   I stood there and I still to  
21       this day I don't know why I didn't freeze to death and fall  
22       off of there because it was so cold.

23               And the only reason, giving the court the reason  
24       why I'm here today, the only reason that I can think of of  
01:09:36 25       why I'm here today is because a million times I jumped,

1 talked myself into it, and a million and one I talked myself  
2 out and that's the only reason. The only reason. You know  
3 and I think this should be discussed in this court so that  
4 if somebody from the FLDS's faithful ever reads these words  
01:10:00 5 there has been many, many, many suicides, way more than  
6 there has been in any other society and it's something I  
7 fight to this day. But thank God that I have that lifeline,  
8 the suicide prevention that I carry in my wallet all day  
9 every day. Sorry for taking so much of your time on that.

01:10:28 10 Q. Marvin, it is important to hear this and we appreciate  
11 it. Let me take you back though.

12 You have heard testimony in the court about  
13 Warren admitting that he was a fraud and people saying that  
14 would have made a difference I would have left right away or  
01:10:44 15 I would have left faster if I had heard that.

16 A. Yeah.

17 Q. If you had heard that, what would you have done?

18 A. You know every time you have asked that question to one  
19 of the witnesses and they said that they would have left,  
01:10:58 20 I -- I question that because I don't think when you're in  
21 the -- in the FLDS if you would have heard something like  
22 that, I'm not trying to correct a witness I'm just talking  
23 about the general how -- how brainwashed we were I guess is  
24 the best way to say it.

01:11:18 25 Q. Well, you were born and raised --

1 A. I would have just thought and said that -- first of  
2 all, from when we were very, very first growing up we were  
3 taught to not -- not believe anybody out here in the world  
4 including judges and police officers and news media. I  
01:11:36 5 would have just thought somebody made that up. Somehow they  
6 created -- I would have absolutely believed that somebody  
7 had created this to try to trap me out of that religion.

8 Q. So you would have stayed?

9 A. I would have stayed.

01:11:54 10 Q. Would anything other than being kicked out --

11 A. I think it took, thank God, the act of me getting  
12 kicked out. I thank God every day that it happened, that  
13 that's what -- that's the only thing I can think of that  
14 would have caused that.

01:12:13 15 Q. Caused you to sort of wake up?

16 A. Yeah, to wake up.

17 Q. How long was that process of waking up?

18 A. Boy, I'll tell you what, even when I first started  
19 hearing this stuff on the audio and all of this, I -- I had  
01:12:30 20 serious doubts that it was even true even though I had been  
21 out of the, you know, sent out into exile.

22 I still -- I tried to prove that it was wrong in  
23 every way that I possibly could and thank God that Warren  
24 made us go listen to his audios and thank God there was  
01:12:51 25 audios there to listen to of his own that yeah, I -- I

1 wouldn't have thought that it was possible for Warren to be  
2 wrong. I thought Warren was walking and talking with God  
3 and he represented God in every way.

4 Q. Did he --

01:13:10 5 A. And he --

6 Q. I'm sorry, go ahead.

7 A. I believe he was but it wasn't the God that I believe  
8 in today. And by his own admission I know which God it was  
9 but that's speculation.

01:13:22 10 THE COURT: Just for my benefit, when was it  
11 again that you were sent away?

12 THE WITNESS: On December 4th, 2012.

13 THE COURT: 2012.

14 THE WITNESS: And then it was a year later, eight  
01:13:34 15 months later I started finding out and when I did find out  
16 because I -- I have the ability to read through an entire  
17 1,200 page book in about two and a half days. So when I got  
18 all of that court -- those court documents I read through it  
19 all way through them so it didn't take me very long to  
01:13:56 20 realize that something wasn't right.

21 THE COURT: So that eight months after you were  
22 sent away you learned what you did. When did you then go  
23 down to Short Creek to try to retrieve your children?

24 THE WITNESS: It was one year and one day from  
01:14:13 25 when I got booted out. So I was one of those lucky people

1 that found out -- I know hundreds of people right now that  
2 still out there believing that Warren is a prophet. And the  
3 way I see it, Your Honor, it is -- it is like they have ears  
4 that will not hear, and eyes that will not see because they  
01:14:39 5 have been told by God they think and that's no swear word  
6 I'm talking about by our Heavenly Father, they have been  
7 told you can't look and you can't listen. We got told in a  
8 UO meeting that if you -- if we read those sacred documents,  
9 which was what came out of that temple, the exact wording  
01:15:01 10 was anybody who reads those sacred documents they can no  
11 longer maintain their membership in the church.

12 Well I say today of course they won't because  
13 they're going to see it but back then we just thought it was  
14 the worst thing in the world to even -- that's the thing  
01:15:19 15 that people today are under is they don't -- they can't look  
16 and they can't see. They can't --

17 Q. (By Mr. Hoole) So when somebody leaves or is kicked  
18 out, that doesn't mean they automatically realize all of  
19 this?

01:15:34 20 A. Oh in fact absolutely not. I'll bet you -- I think  
21 that the percentages of the people, the men that were like  
22 me that got kicked out over lies, over no reason whatsoever  
23 except the control, they're still out there thinking that  
24 they're going to -- that Warren -- they strongly believe  
01:15:55 25 that Warren will be brought out of the prison and set

1 everything in order and God's going to take that control.

2 Q. And even now there are what, hundreds and hundreds of  
3 men and hundreds of hundreds of women?

4 A. Thousands of people that still -- that have been exiled  
01:16:12 5 that still are living their life out there thinking that  
6 it's going to change.

7 Q. And they have generally left their children with the  
8 priesthood?

9 A. Yeah. They don't have their children and they don't  
01:16:24 10 have their wives and the wives don't --

11 Q. You know, it's so hard to understand that.

12 A. Yeah, it is.

13 Q. The only thing that, and maybe this is helpful, you  
14 tell me. After World War II, they found Japanese soldiers  
01:16:47 15 in the jungles over the next 15 years or so.

16 A. It has been 10 years today and there are still hundreds  
17 and hundreds of people that are out there that still believe  
18 the war is going on, you know, using your --

19 Q. Because they didn't get the memo that it's over. They  
01:17:07 20 don't have that information. They believe still, right?

21 A. Right. Or if the opportunity came to see or to hear or  
22 to look, they still would go back to that that I can't look,  
23 I can't listen.

24 Q. And many of these people, would you agree, are still  
01:17:24 25 trying to prove their faithfulness?

1 A. Yeah. Oh, absolutely.

2 Q. Sending their money in, sending their letters to Warren  
3 Jeffs?

4 A. Oh, absolutely.

01:17:32 5 Q. Trying to repent in whatever sin they can imagine?

6 A. Oh, absolutely.

7 Q. And that's what you went through?

8 A. Yeah. You mentioned something just barely about the  
9 money that I -- I want to talk about if I can. It's a  
01:17:45 10 little bit of a diversion. But I went for the last two  
11 years of my life -- of my life, I say my life because the  
12 way I -- my last two years working it in the FLDS I did not  
13 draw a wage. And the company I was working for was paying  
14 \$30,000 out for the vehicles that Warren was running in and  
01:18:12 15 that Lyle was using, his brother, and I witnessed a stack a  
16 foot high of paychecks that had supposedly been given to the  
17 men but they never got them.

18 In other words, and that brings me to another  
19 subject that I would like to address with the court. You  
01:18:35 20 know when it talks about donations in the FLDS and I know  
21 that legally in a court a donation can't be considered in a  
22 case like this because donations are exempt. But --

23 Q. In other words, you can't get the money back, right?

24 A. Right. Or you can't go sue for donations because  
01:18:55 25 supposedly they were -- but Your Honor, in the FLDS we had

1 no choice. We gave. They told us you are to give this and  
2 this and this and this. That stack of paychecks were given  
3 -- were withheld from the men who had families because they  
4 were told, the company was told you have to donate this  
01:19:19 5 amount. And so when I talked about my donations and when we  
6 start talking about the money side of it, I mean I have  
7 thought about this in the last four years and I bet -- I bet  
8 it was \$8,000,000 in my time of big semi loads, because I'm  
9 a carpet guy, semi loads of carpet or semi loads of pads or  
01:19:41 10 semi loads of ceramic tile that was donated, but I say those  
11 donations were under duress. They were not true donations.  
12 And so the court should consider a little bit of a twist  
13 when it -- when we're calling them donations but in reality  
14 it was under duress.

01:20:02 15 Q. Let me ask you some questions about your economics.

16 You're a flooring guy, right?

17 A. Made a lot of money.

18 Q. And you made a lot of money. Did you run crews?

19 A. I ran crews.

01:20:16 20 Q. And were those basically businesses that you ran for  
21 the church or the church allowed you to run?

22 A. Yeah. Yes, sir. In fact, the -- we did everyone of  
23 the -- I have in my lifetime done every one of the campuses  
24 down where the St. George hospital was. In 2003, that was a  
01:20:38 25 labor only contract for 6 to 18 people and it was a million



1 dollars labor in 9 months.

2 Q. You ran that contract?

3 A. I ran -- yeah, that was my contract.

4 Q. That was Dixie Regional Medical Center?

01:20:54 5 A. Right, Dixie Regional Medical Center.

6 Q. What happened with the labor money that was earned?

7 A. Well, I paid my guys their -- that is one thing I did

8 do my whole life is I paid their wages and let them go to

9 donate. So I didn't get the same pressure as I did other

01:21:12 10 companies because I personally felt like that people should

11 do their own donations. That was my personal. But I was

12 kind of a rebel when it came to that kind of stuff.

13 But it was the year that I built my last house

14 there and over the four years, the last four years of that

01:21:32 15 house, the first \$400,000 that went into that house, that

16 wasn't my house. I mean you got to understand everything

17 down there belonged to the church until it was UEP was, you

18 know, taken over by this state or however it was and start

19 giving back to us.

01:21:51 20 Q. In 2005?

21 A. Right. From 2001 to 2005 is when we built that house

22 but that's also when we were doing that huge St. George

23 hospital but it was -- but my house was called a -- my house

24 was called a Bishop Storehouse project. It was not Marvin's

01:22:14 25 house it was a Bishop.

1 Q. Was this the house you're referring to in your specific  
2 allegations valued at approximately \$890,000?

3 A. Okay. So I did three houses. One of them I put about  
4 130 or 140,000 and another I put 86,000 in and then that  
01:22:35 5 last one there was about 400,000. But I think on that  
6 number you have that we're talking a lot of hours of wages  
7 because I, you know, I -- I lived here in Salt Lake and I'll  
8 give you an example.

9 I had a man I was working with that had bought  
01:22:56 10 seven houses in a subdivision. And he was -- he was a very  
11 wealthy man. He was doing about \$26,000,000 a month. And  
12 none of those seven houses had a basement in them, had the  
13 basement finished. And he would come to me and say, because  
14 we're really good friends, and he would say I need this  
01:23:17 15 basement finished, give me a number. And I would go to Ron  
16 Rohbock, you've got to realize this is now in the time when  
17 Warren's still -- starting to get some of his control so  
18 that's why I'm talking about this with the court. But I  
19 would go to Ron Rohbock, who was Alicia's dad, and he would  
01:23:37 20 give me a number and it was every time it was close to  
21 \$90,000. And so this man that I was doing the work for  
22 would go into his basement, open up his safe, and give me  
23 \$45,000 cash and say this is to start and one week later we  
24 would be done.

01:23:57 25 And the reason I am talking about this is not

1       only the amount that was given that went into the coffers,  
2       but we were required to work every night like we go to a  
3       normal day job and then come there and be expected to work  
4       all night long and three or four hours of work just like  
01:24:22 5       down there in Texas we worked un-Godly hours every Saturday  
6       and even days through the week. It was way bigger than just  
7       the Saturday project.

8       Q. Did you do all of that at -- for the benefit of Warren  
9       Jeffs?

01:24:41 10      A. I have been doing it my whole life. But after -- after  
11       1998 is when it started becoming for Warren Jeffs. And the  
12       reason I say '98 is that's when Rulon had his stroke and I  
13       do know that Warren was taking control then.

14       Q. So the services that you provided and the labor that  
01:25:06 15       you provided was that intended to be for Warren Jeffs?

16       A. Yeah, we know --

17       Q. After 1998?

18       A. Yeah. We knew it went to him or down to Texas or yeah.

19       Q. So he received the benefit of that, correct?

01:25:22 20      A. Yes, to a great degree or he had control of where it  
21       went. And to me it was, now that I looked at it now, it is  
22       like a dictator telling all these little guys what to do.

23       Q. Would you have ever done that if you hadn't believed?

24       A. Oh, no, not me. Oh, no. I'm not the right guy for  
01:25:40 25       that if I had known better.

1 Q. And everybody in the community was in the same  
2 situation?

3 A. Oh, yeah.

4 Q. Okay. You have talked about if you had heard this, the  
01:25:55 5 truth about Warren Jeffs and whether he was actually a  
6 prophet, that wouldn't have made any difference to you  
7 because you were that firm a believer?

8 A. Yeah. We would have just said that somebody was trying  
9 to attack him, you know.

01:26:10 10 Q. When you left, well first off, do you agree with the  
11 value of \$890,000 for that last home?

12 A. For -- you mean the number through my -- since Warren  
13 came into --

14 Q. Well, let me read the sentence. I want to make sure  
01:26:30 15 we're clear on this. It says, "Marvin constructed a home in  
16 Colorado City for his large family valued at approximately  
17 \$890,000 which was owned and controlled by the UEP Trust."

18 A. Yeah, I don't -- because the tax value was so low down  
19 there I would say it's about 650,000 is the value which by  
01:26:53 20 the way I bought that house back from the Trust also so I  
21 own that home right now, the one --

22 Q. So you have been able to get your home back?

23 A. Yes.

24 Q. Okay.

01:27:04 25 A. In fact for the court, so that you know, when I first

1 got a distribution, Briell and I together got the Warren  
2 Jeffs house and we donated it to become the Dream Center  
3 down there in Colorado City, down there in Hildale. So if  
4 you want to look up Short Creek Dream Center you will see  
01:27:25 5 what and I am quite happy about being able to say that I did  
6 that because -- but then I asked myself the question did I  
7 do that just because I'm programmed to give and the answer  
8 is yes.

9 Q. Hmm.

01:27:39 10 A. In 2016, the reason I gave -- turned around and gave  
11 that house is because I was programmed to give. Been that  
12 way my whole life.

13 Q. Just for the court's benefit again, the Dream House  
14 does what?

01:27:51 15 A. The what?

16 Q. The Dream House does what?

17 A. The Dream House, the main thing they do is they're a  
18 protection for child trafficking but they also do counseling  
19 for -- for child abuse, sex abuse, physical abuse, mental  
01:28:08 20 abuse and drug abuse. So they have people that it is one of  
21 the biggest organizations in the world, there are 286 of  
22 them when we first got the Dream Center, now there is 300  
23 and thinking of doing one here in Salt Lake that I'm going  
24 to be on the board for. So...

01:28:26 25 Q. I meant to call it the Dream Center.

1 A. Yeah, the Dream Center.

2 Q. Okay. Can you estimate how much free labor you  
3 provided to Warren Jeffs?

01:28:51

4 A. Oh, I would think I would have to have their records to  
5 know. The other thing that I want to point out is when I --  
6 when we were looking at those numbers --

7 THE COURT: Mr. Cooke, would you try to answer  
8 that question.

9 THE WITNESS: Specifically?

01:29:03

10 THE COURT: He asked you to estimate.

11 THE WITNESS: Okay, an estimate. Yeah?

12 THE COURT: Perhaps Mr. Hoole can give you a  
13 number and you tell us whether or not it is accurate in your  
14 direction.

01:29:19

15 Q. (By Mr. Hoole) So in your disclosures, I'll just  
16 represent that you said the forced labor was 200,000. Is  
17 that low or high?

01:29:41

18 A. That's way low. But if I were to make an estimate, it  
19 would be really hard. I would say it would be in the  
20 millions because the last time I did a job and I am an old  
21 man and it took me four times as long as it used to, I was  
22 making \$135 an hour yet in that disclosure I said \$35. So I  
23 mean --

24 Q. Okay. So you left December of 2012?

01:30:08

25 A. Right.

1 Q. Tell me about your work ability to earn income since  
2 that date?

3 A. Can I ask the judge a question first?

4 Q. Well, that's not up to me.

01:30:23 5 A. Was that a good enough answer? Did I answer that  
6 question good enough?

7 THE COURT: You answered it adequately. Thank  
8 you. Now you can answer your attorney's question.

9 Q. (By Mr. Hoole) We're a little informal today because  
01:30:36 10 it is kind of a one-sided trial but --

11 A. Yeah.

12 THE COURT: I wouldn't suggest that if you ever  
13 go to court again that you try to ask the judge a question.  
14 This is a one timer for you.

01:30:49 15 THE WITNESS: Okay.

16 THE COURT: Go ahead.

17 THE WITNESS: I have never been in court in my  
18 life or a hospital so you'll have to forgive me.

19 Q. (By Mr. Hoole) So that's my next question is about  
01:30:58 20 your medical care but first lost wages. Can you estimate  
21 how much money you have lost since leaving the community if  
22 you have lost money?

23 A. Oh, in the last 12 years?

24 Q. Since 2012, December 4?

01:31:14 25 A. When I was doing flooring and it was just my 14-year

1 old son and I, we would -- we made \$20,000 in a week. I --  
2 I would make \$3,500 just by myself in a week doing flooring  
3 and I have not been be able to do any work as far as  
4 flooring. Very minimal. There was one year that I did go  
01:31:46 5 to work and run a crew and I think that five of us made  
6 100,000 but I didn't take a lot home because I paid wages  
7 out. So hundred thousand a year times 12 years or at least  
8 nine years.

9 Q. Is money you would have earned?

01:32:08 10 A. Would have earned because I made 100,000 a year  
11 throughout my career and I have not made that since 2012. I  
12 have made very little. In fact if I go back and look at my  
13 tax returns, I think I might have made 20,000 in a year.

14 Q. Marvin, why haven't you been able to work?

01:32:27 15 A. Because my whole life I'll be going along and all of a  
16 sudden it's like my life is on a roller coaster like this,  
17 (indicating) and I'm doing okay one day and then the next  
18 day or the next hour or the next minute something triggers.  
19 And I'm in this lady's house doing her flooring and all of a  
01:32:52 20 sudden I'm crying. And I get no more flooring done that  
21 day. I physically am not able to work and I haven't felt a  
22 lot of good health either. I've just survived for 10 years.

23 Q. You mentioned that you haven't had any  
24 hospitalizations. You haven't been in the hospital?

01:33:22 25 A. In fact, I probably should have done and got some



1 mental help if nothing else.

2 Q. Did you?

3 A. But my dad growing up we would die before he would take  
4 us to the hospital. I mean I am serious it was not  
01:33:36 5 something that you did in our house because he couldn't  
6 afford it. He was one person taking care of 56 people. So  
7 that got engrained into my life. And why I haven't gone and  
8 got mental health or -- I have no idea except for that it's  
9 just what it has been.

01:34:01 10 Q. But you haven't gone and gotten any?

11 A. None.

12 Q. So your economic losses are your income?

13 A. Right.

14 Q. Lost income, a million two plus the money that you  
01:34:15 15 donated the way you described it before you left. Is that  
16 right?

17 A. Right.

18 Q. Your allegations say that in the first eight months  
19 after you left you earned \$600?

01:34:26 20 A. Is that what it was and that's about what I'm guessing,  
21 too. There was, yeah, there was one year I did go back to  
22 work but the crew mostly did the work so --

23 Q. Have -- you haven't been diagnosed with depression  
24 because you haven't seen anybody?

01:34:45 25 A. No. I have not seen a professional that describes --

1 if I were to describe what I'm feeling though, I feel  
2 panicked.

3 Q. That's what I need you to do.

01:34:59

4 A. I feel panicked. I feel like tomorrow everything could  
5 end. I feel like I have to call the suicide hotline to keep  
6 myself from going crazy and then I will be okay.

7 Q. Are you able to get out of bed in the morning?

8 A. Yeah. In the last -- there are days that I literally  
9 sleep all day long. Literally sleep all day long.

01:35:26

10 Q. Okay. That's why you haven't been able to work?

11 A. Yeah. It's -- it's -- somebody if you have not gone  
12 through this they have no idea what we're talking about. It  
13 is hard to comprehend.

01:35:53

14 Q. Okay. And do you attribute what you have gone through  
15 as the reason for your inability to work?

16 A. Oh, absolutely.

17 Q. Okay.

01:36:08

18 A. I don't know if I said this, but if you were to take in  
19 your family take 36 people that you personally know and put  
20 them in an airplane and slam them into a cliff and they die,  
21 that's how this was to me because those people, my children  
22 my, own wives and children, they are not the same today.

01:36:28

23 It's like I died and went to hell or I went to heaven, one  
24 of the two, and I haven't figured out yet which. Literally,  
25 I'm in a different world, I'm in a different life that is

1 not where I was, not that I want to go back to that.

2 MR. HOOLE: That's all I have, Your Honor, unless  
3 the court has any questions.

01:36:42

4 THE COURT: I don't have any questions. Thank  
5 you, Mr. Cooke.

6 THE WITNESS: Thank you.

7 MR. HOOLE: Your Honor, that concludes our  
8 evidence for today.

01:36:49

9 THE COURT: Okay. And you're so confident you'll  
10 be able to get through tomorrow by 1:30.

11 MR. HOOLE: Yes. I think we're actually ahead of  
12 my schedule so I'm hoping to rap up by at least 1:30  
13 tomorrow.

14 THE COURT: Thank you.

01:36:59

15 MR. HOOLE: In terms of calling -- well we talked  
16 about the three witnesses.

17 THE COURT: Yes.

18 MR. HOOLE: And we'll make arrangements there so  
19 they can listen and then acknowledge a proffer.

01:37:11

20 THE COURT: Affirm. Okay.

21 MR. HOOLE: Thank you, Your Honor.

22 THE COURT: Thank you, counsel. We'll be in  
23 recess until tomorrow.

24 (Whereupon, the hearing concluded at 1:37 p.m.)  
25

**REPORTER'S CERTIFICATE**

I, Laura W. Robinson, Certified Shorthand Reporter, Registered Professional Reporter and Notary Public within and for the County of Salt Lake, State of Utah, do hereby certify:

That the foregoing proceedings were taken before me at the time and place set forth herein and were taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision;

That the foregoing pages contain a true and correct transcription of my said shorthand notes so taken.

In witness whereof I have subscribed my name this 19th day of October, 2022.

**Laura W. Robinson**

Laura W. Robinson

RPR, FCRR, CSR, CP